

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 9 July 2013 at the Town Hall, Royal Leamington Spa at 6.00 pm.

PRESENT: Councillor Mrs Blacklock (Chairman); Councillors Boad, Brookes, Copping, Dhillon, Edwards, Mrs Gallagher, Gifford, Gill, Mrs Higgins, Kinson, Mrs Knight and Wilkinson.

ALSO PRESENT: Councillor Caborn (Deputy Leader).

Apologies for absence were received from Councillors Mrs Falp and Guest.

18. **SUBSTITUTES**

Councillor Wilkinson substituted for Councillor Ms Dean.

19. **DECLARATIONS OF INTEREST**

Minute Number 24 – Implications on Warwick District Council of Warwickshire County Council proposals to outsource on-street parking enforcement – update report

Councillor Gifford declared he had a disclosable pecuniary interest in this item because he was a County Councillor and left the room while the item was considered.

Minute Number 31 – Executive Agenda (Non Confidential Items and Reports) Wednesday 10 July 2013

Councillor Boad declared an interest in Executive item 11A, Procurement of Services from the Voluntary and Community Sector – Summary Year 1, because he was Chair of Crown Routes Consortium.

20. **MINUTES**

The minutes of the meetings held on 30 May 2013 and 18 June 2013 were taken as read and signed by the Chairman as a correct record.

21. **THE ROLE OF THE DISTRICT/BOROUGH NOMINEE ON THE LOCAL ENTERPRISE PARTNERSHIP (LEP)**

The Committee received a verbal submission from Councillor Caborn outlining his role on the LEP and providing an overview of the LEP.

Councillor Caborn explained that his role, along with Councillor Humphrey of Rugby Borough Council, was to represent the five District and Borough Councils of Warwickshire on the LEP Board. Once Board papers were published all Council Leaders in Warwickshire would meet and provide a view to the District Council representatives so that they were informed going into the Board meeting.

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Councillor Caborn explained that the LEP was a tool for encouraging business growth and development within the region and one where it was anticipated that increased future Government funding would be provided rather than through local authorities. This was because the Government and LEPs were in agreement that investment should be by economic and not authority boundaries.

The LEP recognised that there was a high car technology industry within the area that needed to be supported as well as small and medium enterprises and the supply chains for these companies. It also looked at retaining graduates from the two universities within the area to increase local skills and knowledge and this would further encourage development and growth.

It was envisaged that the Government would seek to increase the New Homes Bonus allocation to the LEP for further stimulating local growth.

In response to questions it was explained that the regional development agencies had struggled because of their overheads and the advantage of the LEP was that at present it did not directly employ staff. In terms of measuring performance it would always be a balance about what or would not happen if the LEP had not provided funding or advice. However the LEP was keen to measure how much private sector money was being levered in as a direct result of the work of the LEP.

It was explained that all bids to the LEP were independently assessed and provided with a recommendation to the Board for consideration. The Board as a group would take the decision and not the Chairman on his own.

Sir Peter Rigby had been appointed as Chairman for a year to move the LEP forward, provide clarity, direction and focus. It was generally accepted that this had been achieved through working together.

At present funding was provided as a grant but in future it may move towards the use of loans which when paid back would be used to reinvest in future projects.

The Constitution of the LEP was completed and would be circulated to all Councillors. It was agreed that Board papers would also be circulated to enable greater knowledge of what was happening. In addition it was explained that the Constitution required declarations of interest on agenda items to be made based on a similar scheme to local authority codes of conduct. However, it was acknowledged that LEPs were set up without full consideration of issues such as accountability and relationships to other bodies.

RESOLVED that the report be noted.

22. THE ROLE OF THE DEPUTY CHIEF EXECUTIVE ON CITY DEAL

The Deputy Chief Executive (BH) verbally outlined his role on City Deal and explained what City Deal was.

The aim of City Deal was to seek Growth in Advanced Manufacturing and Engineering (GAME). City Deal was part of the LEP, although it did not

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award funding to any party. The belief as a region was that the area was doing okay but was essentially coasting.

The City Deal looked at encouraging research and development, growth and providing advice to small and medium enterprises. It could be seen as a clearing house for providing support and guidance to firms on areas such as planning, funding options and skills development which would enable and encourage them to grow. For example encouraging them to develop beyond their current requirements so that they could respond more quickly and have capacity for larger contracts.

The real challenge was how far the City Deal would like to go: could it begin to look at skills development and local investment funds, drawn down from the LEP or even infrastructure development?

The role of the Deputy Chief Executive (BH) was to represent the other District and Borough Councils and work up proposals for the LEP Board consideration. These proposals would be based upon briefings from both Council Leaders and Chief Executives.

It had been hoped to meet with Ministers in June, however it was now anticipated that this meeting would take place in October. While the team had originally been disappointed it was considered this would be beneficial because it would allow the lessons learnt from the meeting held in June between Ministers and similar schemes to be built into our submission.

RESOLVED that the report be noted.

23. STATUTORY POWERS FOR PRIVATE SECTOR HOUSING LICENSING, ESPECIALLY IN RESPECT OF HOUSES IN MULTIPLE OCCUPATION (HMOS) AND STUDENT ACCOMMODATION

The Committee received a verbal report from the Divisional Environmental Health Officer outlining the licensing regime for Houses in Multiple Occupation (HMOs).

It was explained that the purpose of licensing was to control high risk properties. The mandatory regime licensed properties where five or more people lived within in individual rooms sharing communal areas. There were around 400 properties licensed with Warwick District. The majority of which, around 80%, were students and the other (potentially) vulnerable people.

There was a licence fee payable which was accompanied by a suitability test of the property and the applicant. The licence required various safety assessments including fire safety which was seen as their risk.

The failure to licence a property could result in a fine of up to £20,000 and breach of licences could also lead to court sanctions.

In addition to the licensed premises there were a further 800 properties in multiple occupation not requiring licence. The Council had powers for enforcement on these properties under the HMO regulations. The Council now saw these as the key properties to work with and those at greatest risk of problems occurring. An accreditation scheme had now been introduced across the West Midlands and this aimed to encourage improved

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management of properties. It was agreed that the legislation relating to HMOs might be becoming out of date and did not allow councils to insist in more than very basic standards of accommodation.

RESOLVED that the report be noted.

(Councillor Mrs Gallagher left during this item)

24. IMPLICATIONS ON WARWICK DISTRICT COUNCIL OF WARWICKSHIRE COUNTY COUNCIL PROPOSALS TO OUTSOURCE ON-STREET PARKING ENFORCEMENT – UPDATE REPORT

The Committee received a verbal update from the Head of Neighbourhood Services outlining a presentation he had given, with the other Warwickshire Borough and District Councils, to the County Council's on-street parking task and finish group.

It was explained to the Committee that the task and finish group were looking for savings of £300,000 per year. To date the District and Borough Councils had found over £320,000 of possible savings per year within current contracts. It was the opinion of the District and Borough Councils that if the County Council were to work with them and share the details of their contracts, much greater savings could be found.

The presentation explained that targeted enforcement could provide greater efficiencies and still ensure service delivery at the levels the County Council required. There was also general recognition that a partnership arrangement would be much more flexible than a contract and would also provide a local input into service delivery.

It was explained that changes in technology, as demonstrated in Kenilworth, had provided greater efficiency by enabling shifts to start on location rather than in a central office. This had seen the level of enforcement increase, including the number of penalty charge notices, which had been welcomed by both residents and businesses by tackling problems in residents' parking zones.

The District and Boroughs submitted to the task & finish group that the key should be maximising income and efficiency through working in partnership, however this had been restricted by the County Council not being willing to talk with District and Borough Councils.

The Head of Neighbourhood Services informed the Committee that the task and finish group were due to report back in October 2013 with all the options being reported back for consideration. It was anticipated that the final decision would be taken by Council and no Cabinet, but this was to be confirmed.

RESOLVED that the report be noted.

(Councillor Brookes left at the conclusion of this item)

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25. WELFARE REFORMS AND DISCRETIONARY HOUSING PAYMENTS

The Committee considered a report from Finance and Housing & Property Services that provided Members with information about those living in social rented accommodation who were classed as being under occupying and as a result were no longer subject to the "spare room subsidy".

The report also provided details on the increased Government funding for Discretionary Housing Payments available to assist those on housing benefits and how this funding had been used by Warwick District Council.

RESOLVED that the report be noted.

26. CALL-IN OF EXECUTIVE DECISIONS

The Committee considered a report from Civic & Committee Services that explained the process for consideration of the two Executive items that had been called-in for Members' consideration.

The two decisions, of the Executive on 19 June 2013, related to the reports "Potential recreation of the Mere at Kenilworth Castle" and "St Mary's Lands Business Strategy – Update".

For each of the two decisions the Committee had to decide to either

- (i) allow the decision made by the Executive to be implemented without further delay;
- (ii) refer the decision back to the Executive with further comments;
- or
- (iii) refer the decision to Council for debate.

With regard to the Potential Recreation of the Mere at Kenilworth Castle report, the Committee was extremely disappointed with the decision of the Executive because of the significant concerns raised by both itself and the Finance & Audit Scrutiny Committee. In the opinion of both Committees, neither the feasibility study nor the recreation of the Mere, which would cost in excess of £20m, represented good value for money. In addition, and more importantly, the consultation responses from Kenilworth residents clearly stated that they did not want this and that the Council should listen to the public.

Therefore it was proposed, duly seconded and agreed unanimously and

RESOLVED that the "Potential Recreation of the Mere at Kenilworth Castle" report be referred to Council for debate.

(As set out in Council Procedure Rule 23, because there was no Council meeting for more than eight weeks from this decision, an additional Council meeting would need to be held. After consultation with the Chairman of the Council this meeting would take place on 21 August 2013. Therefore, no further action could be taken on this decision until after Council had debated the matter.)

With regard to St Mary's Lands Business Strategy, it was proposed and duly seconded that the matter be referred to Council for debate. On being put to

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the vote the proposal was lost by five votes to three. The majority of the Committee was pleased that the Executive had taken on-board its concerns and was surprised that the item had been called in. It was then proposed, duly seconded and

RESOLVED that the Executive's decision in respect of the "St Mary's Lands Business Strategy – Update" report should proceed.

(At this point Councillor Dhillon left the meeting.)

(As set out in Council Procedure Rule 23(h), three of the Councillors who had originally called-in the decision requested, after the meeting, that the matter be debated by Council. This debate would take place at Council on 21 August 2013.)

27. DRAFT REPORT – TASK & FINISH GROUP, DOG CONTROL ORDERS

The Committee considered the draft report of the Dog Control Orders Task and Finish Group into the Impact of Dog Control Orders.

RESOLVED that the report be submitted to the Executive for consideration subject to the inclusion of an additional appendix to show which recommendations cost money and the cost of these.

28. SUMMARY OF COMMENTS FROM THE EXECUTIVE

The Committee considered a report from Civic and Committee Services which detailed the responses to comments that both the Overview and Scrutiny Committee and the Finance and Audit Scrutiny Committee had made in respect of the Revised Development Strategy.

RESOLVED that the report be noted.

29. FORWARD PLAN

The Committee considered the Forward Plan which had been published for July 2013 to October 2013.

RESOLVED that the report be noted.

30. REVIEW OF THE WORK PROGRAMME

The Committee considered a report from Civic and Committee Services on the Committee's work programme.

RESOLVED that the work programme be amended to include a report on outside bodies representation to the October meeting.

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31. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 10 JULY 2013

The Committee considered the following non-confidential items which would be discussed at the meeting of the Executive on Wednesday 10 July 2013.

Item 8 - Progress on the Warwick Town Centre Plan

The Committee welcomed the report, in particular the survey about Warwick Mop. However, the Committee stressed the importance of canvassing as wide a range of opinions in Warwick as possible particularly amongst young people, about the Mop.

Item 11A -Procurement of Services from the Voluntary and Community Sector – Summary Year 1

The Committee welcomed the report and strongly supported the approach for future years as set out in Paragraph 3.10 of the report.

(Although included on the published agenda, no confidential Executive items were discussed and for this reason there are no minutes for items 16 and 17 on the agenda).

(The meeting finished at 8.54 pm)