

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 8 March 2022 in the Town Hall, Royal Leamington Spa at 6.05 pm.

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

Also Present: Councillors Day – Leader of the Council, Falp – Portfolio Holder, Community Protection, Grainger – Portfolio Holder, Planning, and Rhead – Portfolio Holder, Climate Change & Neighbourhood Services.

51. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Margrave.
- (b) Councillor Ashford substituted for Councillor Jacques.

52. **Declarations of Interest**

There were no declarations of interest made.

53. **Minutes**

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

54. **Development Management and Enforcement Performance Update**

The Committee considered an update from Development which gave details on the recent performance of the Council's Development Management and Enforcement Services and set out the ongoing and proposed actions to maintain and improve the efficiency and effectiveness.

The Development Management service had experienced a number of setbacks which were listed in the report in the "Background" section, as were the actions that had been taken to improve the situation under the heading of "Actions" in the report from items 1.19 to 1.25.

In response to questions from the Committee Members, the Portfolio Holder - Planning, together with the Head of Development and the Development Manager explained that:

- The chart on page 7 of the report "Percentage of decisions issued within the statutory or extended period" reflected the percentage of decisions in each quarter issued on time, and not the number of applications received in each quarter delivered on time. The majority of results on the chart were in the high 90s, but there was a noticeable dip in the current financial year, but the numbers were starting to rise again.
- Circa 350 applications were currently going through the process; pre-pandemic, that figure would have been around 200 – 250. Of

the 350 applications currently in progress, about 100 of them were at risk of exceeding the statutory period, but the proportion was gradually being reduced. It was hoped to be back to pre-pandemic levels of service within a few months in respect of processing planning applications.

- The issues the Council faced recruiting senior planning officers was one faced in the country as a whole with a recognised skills shortage. The Council was trying to address this with looking at ways to attract people to the Council, such as paying market factor supplements. The Enforcement Team had been hit particularly with staff shortages and the Team Leader position had been vacant for a while. A person offered the position had subsequently decided not to take the role, so the recruitment process was being repeated. In the meantime, other ways to fill the gap were being examined such as using agency staff. Longer term, the Council was looking at its salary levels compared to others and at the lower scale posts, there had been success in training people in-house to work their way up, including helping to financially support these staff wishing to take degrees. Apprenticeship schemes were also being examined. There was not a quick fix to the skills shortage and Stratford District Council (SDC) did not have spare capacity to help.
- Planning was not going to be one of the first services to be merged with SDC's. Service integration would be further down the line and might depend on when there was a South Warwickshire Local Plan rather than separate Local Plans. Some joint working was taking place such as in respect of recruitment. It would be hard to integrate both Councils' services until the IT systems were aligned.
- Enforcement cases were prioritised according to risk, rather than date. The aim was to prevent a situation arising whereby an instance may occur where such time had elapsed that enforcement action was no longer an option. The vast majority of current cases were relatively small scale, and a considerable number were already being actioned or just about to be actioned. To-date, no cases had passed the point of action being an option. Where there was insufficient staff resource to process the case internally, the Council would engage help externally to ensure deadlines were not missed after which no enforcement action could be taken. There were approximately 500 enforcement cases, of which approximately 170 were being investigated currently. All cases were examined when they arrived at the Council to assess priority. The bulk of current cases had been submitted within the last two to two years six months. Enforcement cases could run for many years because of their nature before they were completed because of the appeals process. The deadline for taking enforcement action was four years for where something was being built; for use, it was 10 years.
- The Council worked well with universities to find suitable candidates for jobs and most of the roles where there were shortages of staff did require graduates or people with similar qualifications. A suggestion to start a drive to recruit school leavers would be evaluated.
- A lot of the issues surrounding staff shortages had been caused by the embargo the Council had imposed on recruitment hitting almost at the same time the pandemic had hit. The Council was now in race to recruit against a lot of competitors.

The Committee requested that both charts on page 7 of the report was added to the Dashboard and that this was kept updated. The Development Manager undertook to look at the request. A further request that Enforcement data should be added to the Dashboard including backlog, in the form of a chart.

An update on the report would be given to Overview & Scrutiny Committee in six months' time.

(Councillor Grainger left the meeting.)

55. **Environmental Enforcement update**

The Committee considered an update from Contract Services on the shared environmental enforcement service, previously undertaken by Rugby Borough Council. Covid had halted enforcement at Rugby BC, but at the same time, closer working relationships had been developed with the Street Scene Team at Stratford District Council.

The update informed on the current status and future planned developments.

Appendix 1 to the report gave fly tipping data since 2019 to January 2022 in bar chart form.

In response to questions from Members, the Operational Development Manager and the Portfolio Holder, Neighbourhood Services explained that:

- Lots of work was ongoing to digitise the process when dealing with fly tipping, and this would allow residents to contact directly with the contractor and the customer would get notification from the contractor when the incident was dealt with. This would help alleviate pressure on WDC staff.
- Only 12% of fly tipping was household black bags and this would be monitored to see if the implementation of 123+ would increase this volume. Evidence would be sought and householders who dumped waste near litter bins would be encouraged to come forward to seek a suitable solution.
- A bin hanger would be delivered to all residents and news was being posted on social media to inform residents.
- It was hoped that the three CCTV cameras being used for the Commonwealth Games could be redeployed afterwards to monitor fly tipping hotspots. It was felt that three cameras were a good starting point and the success from these would be assessed before consideration on whether more cameras were required.
- Within the waste act, residents had a duty to move any bins left out back within the curtilage of their properties once the refuse round had been conducted in the street. The council could write to residents who failed to do this. Biffa could report to the Council issues with residents failing to put the right type of refuse in the correct receptacle and its systems were a lot more automated allowing easier communication to the Council when reporting missed collections. This was not classified as fly tipping.
- The barrowman service was to be reinstated for Leamington town centre where there was an issue with street litter. There were ongoing discussions with the Events Team to deal with overflowing

bins as a result of takeaway containers which was not part of the normal waste. The Service Area could consider whether more refuse bins were required but this would add to ongoing contract and maintenance costs. Refuse collections had already been increased where there were known frequent instances of overflowing bins.

- Residents did not appreciate advice given that when a bin was full, they should take their rubbish home with them. It was incumbent on everyone to drive home the message that people had a responsibility to dump rubbish simply because they could not find a bin with capacity to take it.
- The recycling and waste sites operating and still requiring bookings to use had been raised by the Portfolio Holder at the County Council and so far, he had been met with responses that the booking system was working well, and people liked it. He would raise the issue again at the next meeting of Warwickshire Climate Change. He asked Councillor Day to join him in writing a letter to Councillor Seccombe at WCC. He was frustrated that the tips were only open for five to six hours a day and pre-booking ahead of use was required.
- All Councillors would be informed about the 123+ system ahead of when residents were informed.
- Fly tipping data given to Defra would be added to the Dashboard.

A further update on fly tipping was requested around three months after 1 August 2022 with the aim to see the effect 123+ had had on fly tipping and whether there had been an increase or no change.

56. **Cabinet Agenda (Non-Confidential items and reports) – Thursday 10 March 2022**

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

Item 10 – Trees for our Future

The Overview & Scrutiny Committee commented that the discussion on the report had been positive and thanked Councillor Rhead and Andrew McGwinn for their responses to the questions posed.

The Committee believed that there was opportunity to engage more with the community and to consider requests for smaller scale projects for planting trees. The wider benefits of re-greening the District should be widely promoted to engage with housing developers, farmers, parish/town councils and residents.

It was suggested that the Council should undertake a cost/benefit analysis to build up a clear case for the expenditure and then check this was being achieved. Questions were raised on whether there were more cost-effective ways to achieve a reduction in carbon emissions such as splitting the £4m between tree planting and insulating homes for example and a cost/benefit model would make this easier to monitor.

(Councillors Day and Rhead left the meeting.)

57. **Summary of the role, responsibilities, and performance of the South Warwickshire Community Safety Partnership**

This report had been classified as confidential but upon re-evaluation of its content, it had been re-classified as public.

The Committee considered a report from Community Protection which set out the role, responsibilities, and performance of the South Warwickshire Community Safety Partnership (SWCSP). This was the statutory body for reducing crime, disorder, substance misuse and reoffending in South Warwickshire.

Appendix 1 to the report gave background information on SWCSP's priorities, with Appendix 2 showing the confirmed priorities for 2021/22 and performance for 12 months which started in December 2020.

The Portfolio Holder, Community Protection explained that Covid had affected the types of crime committed with anti-social behaviour increasing because people were at home. This had meant that comparison with previous years was difficult.

Warwick District and Stratford District had been working together under the South Warwickshire Community Safety Partnership since 2008.

In response to questions from Members, the Portfolio Holder, Community Protection, Councillor Falp and the Community Safety & Wellbeing Manager explained that:

- The CSP did not have dedicated resource; the resources came from each responsible authority that the CSP provides to for delivery of priorities set and the action plans. A bid was submitted to the Police & Crime Commissioner's grant scheme each year to help deliver the priorities. There was no weighting applied to each priority in terms of how money would be allocated.
- There had not been a large increase in crime subsequent to the County Council's decision to turn off street lighting in places, but this did not account for perception of crime. A bid for had been submitted for safer streets funding. The Police could ask for lights to be switched on if there had been an incident.
- Domestic abuse increased during the pandemic. Following on from Sarah Everard, this had become a national concern. Work was ongoing to address the issues and causes for this. There was a plethora of support services to help deal with domestic abuse. The challenge was getting victim to report incidents.
- The Safer Streets agenda was focussing on help to make streets safer for women in the aftermath of the Sarah Everard murder.
- Warwick District had higher levels than Stratford for anti-social behaviour because it had a larger night-time economy and a lot of it was alcohol and drug related.
- There were a number of channels for reporting anti-social behaviour. The definition of anti-social behaviour caused problems because sometimes incidents reported did not fall within personal anti-social behaviour. A lot of time the nature of the anti-social behaviour had to be evaluated and determining which authority was best placed to handle it.

- The increase in rape cases was a county wide trend. There was a Rape and Serious Offences Group that covered the whole of Warwickshire and it dealt primarily the issues concerning rape and ways to deal with it. The issue was reported offences were taking a long time to come before a Court.
- Updated information would be shared with Councillors arising from the various groups set up to tackle crime.
- Theft of vehicle was a particular issue in the District on the boundary between Warwick and Stratford at the service stations and the theory the Police held was that it was a result of County Lines activity. Police had used drones to pinpoint activity and working with the service areas where thefts occurred. Incidents were decreasing and it was not evident if this was a result of the work being done or if County lines had moved to somewhere else.

Resolved that the report be added to the Work Programme for March 2023 for the next 12 months' activity.

(Councillor Falp left the meeting.)

Resolved to adjourn the meeting for ten minutes for a comfort break.

(The meeting adjourned at 8.36pm and reconvened at 8.43pm.)
(Councillor Morris left the meeting.)

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

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

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

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

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

Additional documentation had been provided to Members. The Chair advised that the information he found particularly useful was the Gantt Chart specifying the list of work to be done and what stage it was at. He felt that an overall project risk status should be included with the information. The Deputy Chief Executive advised that the additional documentation would become a standard part of the report going forward.

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

- The Risk Register would be changed to allow people to track things had changed.
- A report had been commissioned from Savills to come up with principles for where a joint HQ could be based. The administrative base did not mean that all enquiries had to be dealt with there. There were other options such as setting up satellite offices to keep things more local for the residents to visit.

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

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

An update had been provided for the Task & Finish Group, Equality and Diversity. The Group had met on 21 February and had approached Equip, the company used for the external consultation on the merger, for advice on consultation with residents and businesses and organisations. To-date, no response had been received from Equip. The Group had begun work to engage with appropriate staff on how they handle external consultations. The Group was scheduled to meet again in the following week.

The Chair and Councillor Hales had yet to discuss the way forward for regular updates on the Digital Strategy.

The Committee reinstated regular bi-annual updates on the Climate Change Action Programme on its Work Programme including progress on carbon emissions.

The Deputy Chief Executive would ask the Head of ICT to send an email to Member to explain the issues surrounding system downtimes, including impact analysis and root cause analysis and what was being done to address this. Members also requested time outage residents were experiencing to in respect of services to them.

Resolved that

- (1) appendices 1 and 2 to the Work Programme report be noted; and
- (2) regular bi-annual updates on the Climate Change Action Programme be reinstated; the first one to be presented in April.

(The meeting ended at 9.02pm)

CHAIR
24 May 2022