

Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 21 September 2021 in the Town Hall, Royal Leamington Spa at 6.00 pm.

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

Also Present: Councillor Day – Leader of the Council.

20. **Apologies and Substitutes**

- (a) an apology for absence was received from Councillor Redford; and
- (b) Councillor Illingworth substituted for Councillor Morris.

21. **Declarations of Interest**

Item 4 – Work Programme, Forward Plan & Comments from the Cabinet

Councillor Illingworth declared an interest because he was a Member of the Task & Finish Group, Race and Equality. He would not participate in any debate in respect of the decision the Committee had to make following the decisions made at the meeting of Cabinet in August.

22. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 10 August 2021 were taken as read and signed by the Chair as a correct record.

23. **Cabinet Agenda (Non-Confidential items and reports) – Thursday 23 September 2021**

The Committee considered the following item which would be discussed at the meeting of the Cabinet on Thursday 23 September 2021.

Item 4 – Service Integration and Joint Accommodation Work between WDC/SDC

The Committee considered that a summary of risks through a risk register was required and therefore recommended to Cabinet that regular risk reporting should be provided to Councillors.

The Committee also requested that regular service level performance data should be available to Councillors on the Service Area Dashboard, providing comparison between current service area performance levels against the merged service areas.

24. **Update on Joint Work with 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.

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

Members asked that any new content to the report from the previous one issued was made obvious to the reader. They also asked for any issues that were not going to plan or challenges should also be made obvious so that the Committee was able to scrutinise these and provide guidance and help. The potential impacts under Climate Change should be noted in the relevant section of the report (currently 3.6) because this was one of the strategic priorities of the Council.

25. **Public and Press**

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

Minute Number	Paragraph Number	Reason
26	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

26. **Cabinet Agenda (Confidential items and reports) – Thursday 23 September 2021**

The Committee considered the following confidential item which would be discussed at the meeting of the Cabinet on Thursday 23 September 2021.

Item 13 – Low Carbon Enabling Development

The Committee recommended to Cabinet that a business case and plan for hydrogen hubs should be referred to the Climate Emergency Programme Advisory Board (PAB) for consideration.

In noting the complexity of the scheme and difficulties faced, the Committee requested that a briefing be provided to all Councillors on the development proposals. The Committee also wished to know how this would contribute to the Council's Climate Emergency target to be net carbon zero.

(The meeting resumed public session.)

27. **Briefing Note on the Park Exercise Policy and Permit Scheme**

The Committee considered a written update from Cultural Services giving a first annual review subsequent to the introduction of the Park Exercise Policy and the accompanying Park Exercise Permit scheme that had been approved by the Executive in August 2020. The annual review of the fees and charges process had commenced for the forthcoming year.

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

- The report did highlight that the permit scheme did not give significant financial net gains and so this would be a subject management would raise for the PAB to deliberate. The PAB would be asked to consider if the amount of work caused by the permit scheme could be justified against the monetary net gains and effort in administration and effectiveness. The PAB would be asked to consider enforcement issues and what sports were played at parks where the permit scheme was not in operation.
- He would ask the Programme Manager from Cultural Services to send out a summary of financial figures pre-permit scheme implementation compared against post permit scheme introduction.
- The regulatory environment should be considered when reviewing the scheme and whether it should continue. The Council had a scheme and should not simply abandon it purely for financial reasons. However, the PAB would be asked to consider this too and whether the scheme could be justified to ensure that the parks were used in an acceptable manner.

The Chair asked that the Programme Manager receive feedback that he was pleased to note that the report did give details of problems faced, not just things going well.

Members asked that the PAB review what the Council was trying to achieve with the permit scheme and ensure that the community as a whole could enjoy the parks in the right way. The PAB should re-evaluate why the scheme was set up and what issues it was meant to address / its aims. It was noted that the scheme was time consuming to enforce and ensure that all groups setting up activities where the scheme was in operation held permits.

In response to a question raised ahead of the meeting, the Programme Manager had agreed that the list about group using the parks to exercise differed from the list provided on the Council's website. Permit holders were asked if they wished to appear on the list on the website and not all had asked to do so. The Programme Manager had suggested that the website list was a marketing opportunity for the groups rather than a register. Members asked for this to be reviewed by the PAB to determine whether the list was for marketing or for public information.

28. **HMO Licensing & Planning Permission Policy Effectiveness Review**

The Committee considered a report from Private Sector Housing. A new policy linking HMO Licensing with planning permission was introduced at the start of April 2021 with the aim to ensure that landlords of licensable HMO's who required planning permission for HMO use, applied for and obtained planning permission before they were granted an HMO licence.

The Chair informed the Committee that he had not asked officers to attend the meeting because he felt that the report gave enough information. Councillor Cullinan had asked some questions prior to the meeting which he expected would be dealt with by officers.

Resolved that the report be noted.

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

The Committee considered its work programme for 2021/2022 as detailed at Appendix 1 to the report.

Task & Finish Group – Equality & Diversity

The Chair referred Members to an email they had been sent earlier in the day giving an update on the Task & Finish Group – Equality and Diversity. The Group accepted the decisions made by Cabinet and Employment Committee that Phase 1 of the work would move to the Transformation PAB which would consider how the recommendations in the report the Group had submitted to Cabinet would be progressed.

The Group did not support the recommendation that Phase 2 of the work, to look at service delivery and how the community perceived this in respect of equality was also passed to the Transformation PAB. The Group felt it was better placed to look at this work based on the work undertaken already and the knowledge it had gained.

The Group therefore made a recommendation to the Overview & Scrutiny Committee that it dealt with the Phase 2 work and that at the next meeting of the Committee in November, it would provide:

- a plan for delivering Phase 2 that included timeline, resources / budget anticipated to be required along with the proposed method of working;
- an Equality Impact Assessment for Phase 2; and
- analysis of any potential constraints of delivering this in parallel to wider service delivery and integration, whilst being mindful that this should focus on discussion with the community rather than with officers.

Members agreed that Phase 2 of the work should remain with the Task & Finish Group and it was noted that Councillor Mangat was the Chair of not just the PAB but also the Task & Finish Group so would be there to ensure that the Phase 1 report recommendations would be dealt with.

Scrutiny of the SDC/WDC merger

The Chair reported that both WDC Scrutiny Chairs had held a meeting with the Scrutiny Chair at SDC to discuss arrangements for joint scrutiny as the merger progresses. The aim to scrutinise the merger separately had been made clear because each Council represented their own residents, but there would be a need for some consistency. An email sent to both Scrutiny Chairs at WDC the previous day by the Democratic Services Manager & Deputy Monitoring Officer was read to the Committee. Refresher training for all Councillors on scrutiny/questioning skills would be provided in November to ensure that all Councillors were prepared to look at the merger report in December to Cabinet.

Prior to the December report being published (or just after), a joint briefing would be provided to Councillors on the proposals. A Joint Scrutiny Chairs' briefing with SDC (just after the agenda was published) would be held to help focus and refine key questions, trying to use the WDC approach of pre-scrutiny questions.

Officers were synchronising agendas and reports for meetings in December.

Resolved that

- (1) appendices 1 and 2 to the Work Programme report be noted;
- (2) a report be provided by the Head of ICT at the meeting in November to cover some of the challenges faced by ICT as the merger progresses; and
- (3) Phase 2 of the Task & Finish Group – Equality & Diversity be retained under the control of Overview & Scrutiny Committee with the Task & Finish Group to continue the work.

(The meeting ended at 7.53pm)

CHAIR
2 November 2021