

# Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 28 November 2017 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Mrs Falp (Chairman); Councillors Ashford, Bromley, Davison, Miss Grainger, Naimo, Parkins, Mrs Redford, Shilton and Weed.

**Also Present:** Councillors Butler, Mobbs, Phillips and Thompson.

## 53. **Apologies and Substitutes**

- (a) There were no apologies for absence.
- (b) Councillor Ashford substituted for Councillor Mrs Cain and Councillor Weed substituted for Councillor Mrs Knight.

## 54. **Declarations of Interest**

There were no Declarations of Interest made.

## 55. **Minutes**

- (a) The minutes of the meeting held on 31 October 2017 were taken as read and signed by the Chairman as a correct record.
- (b) The minutes of the meeting of the Finance & Audit and Overview & Scrutiny Committees held on 13 November 2017 were taken as read and signed by the Chairman as a correct record.

## 56. **Comments from the Executive**

The Committee considered a report from Democratic Services which detailed the responses the Executive gave to the comments the Overview and Scrutiny Committee made regarding the reports submitted to the Executive at the start of November 2017.

**Resolved** that the report be noted.

## 57. **Events Review Update**

The Committee considered a report from the Policy & Projects Manager and the Business Support and Events Manager which gave an update on the key findings from the data collection and analysis of events that had taken place during the summer of 2017. The report set out the steps to be undertaken to complete the review and as part of this highlighted four particular issues that the Committee might wish to consider to inform the shape of the final review report.

In response to questions from Members, the report authors and the Portfolio Holder for Business replied that:

- The Council did not promote events; it supported events running in the District.

## **OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**

- The Council set aside a budget for some of the events that ran in the District, such as certain Bowls events. Others were provided with advice and support.
- They would take on board concerns about the fixed fee charged by the Council for services surrounding events.
- Following on from the review, the Council now had sound data to know what events were being run in the District. However, the full benefits of running these events were unknown.
- They acknowledged concerns that the costs to organisers might close some events down, but there was a need to find a balance. Consideration might be given to reducing some costs for charitable events, but there would be budget implications to this.
- Security at events was a key consideration. 80 stakeholders had to be consulted for events. Plans were now in place to physically block roads using vehicles to prevent instances of terrorism where vehicles were used to mow down pedestrians.
- The Police reviewed all plans for events but they were not in a position to commit manpower to policing events. Organisers had raised this as an issue because they had to pay for security.
- Once the review was completed, the Council would be able to consider all options on the level of financial support it would provide to events.
- Some events were not providing a financial benefit but were clearly of benefit to the community.
- The team would consider whether taxi drivers should form one of the stakeholders consulted. Currently, they were not consulted.
- It was difficult to quantify officer time spent on events because the Council had lost a lot of experienced staff recently so there was a learning curve. Once the experience was there, officer time would be quantified.

### **Resolved that**

- (1) the progress made on the Events Review set out in section 3 of the report is noted;
- (2) the issues arising from the data collection and analysis phase set out in section 4 of the report is noted; and
- (3) Overview & Scrutiny Committee Members will send their views on the questions set out in section 5 of the report to James Deville, the Business Support & Events Manager in the next two weeks and these views will be considered alongside other views put forward through the Events Review consultation.

## **58. Executive Agenda (Non-confidential items and reports) – Wednesday 29 November 2017**

The Committee considered the following item which would be discussed at the meeting of the Executive on Wednesday 29 November 2017.

## **OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**

### **Item 5 – Civil Penalties Policy – Private Sector Housing**

The Overview & Scrutiny Committee fully supported the recommendations in the report.

The Committee supported an amendment to recommendation 2.1d that would be proposed at Executive:

“Delegated authority be given to the Head of Housing Services *in consultation with the Housing Portfolio Holder* to make decisions about imposing civil penalties in individual cases”.

#### **59. Review of the Work Programme & Forward Plan**

##### **Appendix 3 – Update on Progress in respect of revisions to the Delegation Agreement particularly in relation to the determination of planning applications**

The Committee considered a briefing note from Development Services giving an update on a report which would be considered at Executive in January 2018.

At Executive in July 2016, Members had identified a lack of clarity in the agreement concerning the mechanism through which Councillors could request that a planning application should be considered by the Planning Committee. Officers were therefore in the process of reviewing this process, in liaison with the Portfolio Holder for Development Services and the Chairman of Planning Committee. Additionally, the scope had been widened to consider the fact that a significant proportion of planning applications going to Committee were relatively minor in nature, and that Town and Parish Councils were able to trigger the process by which applications had to go before Committee for consideration, and these were frequently minor applications.

Overview & Scrutiny Members expressed concern that Ward Councillors might have their powers to request that planning applications should be considered by the Planning committee curtailed because it was their view that Ward Councillors knew their area very well. They did acknowledge that Councillors should be careful not to trigger the process solely on a conversation with one resident. They were reassured to know that there was no intention to radically overhaul the process, cutting out a Ward Member's right to ask that the Planning Committee consider an application, but acknowledged that actual planning reasons should be given as part of this call-in process.

It was noted that in the last six months, 40% of applications that had been considered by the Planning Committee had occurred because a town or parish council had triggered the process. Committee Members suggested that parish and town councillors should be required to attend training and must attend the Planning Committee meeting if they were to have the power to have an application called into the Planning Committee. If they refused, then that Council's power would be suspended and the application would not go before Planning Committee unless there were other criteria. Overview & Scrutiny Committee Members felt strongly that parish and town councils had to attend Committee meetings when they had commented on

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an application, but it was noted that the Chairman of Planning had reservations about this dictum.

The Chairman thanked the Head of Development Services and the Development Services Manager for the briefing.

### **60. Housing & Property Services - Portfolio Holder Update**

The Committee considered a briefing note from Councillor Phillips, Portfolio Holder, Housing & Property Services, giving an update on his portfolio.

In response to questions from Members, Councillor Phillips explained that:

- There had been a natural fall in waiting lists because of the transfer of tenants to new properties.
- The main challenge to building new housing was the shortage of land, especially when the Council had to compete against commercial land owners.
- The Housing Appeals Review Panel (HARP) had been replaced and now officers handled the cases.
- All fire safety notices in Council owned properties had been replaced. The day following the Grenfell Tower Block tragedy, Council officers had visited high rise tower blocks in the District and were satisfied that they were on top of fire safety procedures. The focus was on high rise blocks but low rise and ordinary housing stock would be reviewed.
- The Council was reviewing potential development opportunities for housing at garage sites.
- "Lifeline" was still in its infancy so the impact of using a commercial approach had not yet been assessed.
- In respect of the Syrian refugees who were housed by the Council, the Portfolio Holder would feedback information to the Committee on the conditions of the tenancies, the term of the tenancy, and what happened when the tenancy ended.
- Tenant engagement – figures on how many responded to the survey would be provided to Committee Members.

The Chairman thanked Councillor Phillips for answering the questions.

### **61. Summary of the role, responsibilities and work of the South Warwickshire Community Safety Partnership (SWCSP)**

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

Crime & Disorder Reduction Partnerships were created as part of the Crime & Disorder Act (1998). They were the responsible bodies for reducing crime, disorder, substance misuse and reoffending. The two Crime & Disorder Partnerships for Stratford-upon-Avon and Warwick Districts were formally merged in September 2008 and became the South Warwickshire Community Safety Partnership or Safer South Warwickshire.

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Following the Police and Justice Act 2006, Local Authorities were required to undertake annual scrutiny of the local Community Safety Partnerships (CSPs).

In response to questions from Members, the Safer Communities Manager explained that:

- There had been a rise in offences against the person, but Warwick District was no different from elsewhere in levels of this type of offence.
- There had been a rise in vehicle crime over the last two years, but levels were still not as high as they had been in the past. It was felt this rise was due to the increase in drug related offences and the reduction in the likelihood of getting caught and reduced penalties.
- Warwick District Council was taking an active role in reducing domestic violence.
- The District was struggling with providing beds for the homeless, but this was the same for other Authorities.
- The Police Crime Panel would be discussing police numbers at the next meeting.
- A review was underway to look at all of the risks and challenges faced by CCTV. The move to analogue to digital signal was part of the challenge and where cameras should be located. The policy limiting the use of mobile cameras would be reviewed.
- The Safer Communities Manager would check whether the ban on beggars on streets imposed by Coventry City Council in March 2017 had not caused an increase of people begging here.
- Warwick District Council operated a softer approach to people begging and targeted those who were aggressive or a nuisance.

The Safer Communities Manager asked any Councillor who wished to visit the CCTV suite to contact him.

**Resolved** that the report be noted.

### **62. Review of the Work Programme & Forward Plan**

The Committee considered its work programme for 2017/18 and the Forward Plan for November 2017 to January 2018.

#### **Appendix 5 – Role of Warwick District Council Chairman**

Following on from a decision made at the last meeting of the Overview & Scrutiny Committee, Members considered a Scoping Document for a Task & Finish Group to review the role of the Council's Chairman. This Scoping Document had been drafted by Councillors Ashford and Mrs Knight in liaison with officers from Committee Services.

The Scoping Document questioned whether previous Council Chairmen should be excluded from the Task & Finish Group and were advised by the Deputy Chief Executive and Monitoring Officer that Members needed to be mindful whether an ex-chairman would have the open mind required to form part of the Group. Committee Members felt that there was no need to exclude ex-chairmen from being members of the Task & Finish Group but

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that the majority of Group members should not have served as the Council's Chairmen.

Members felt that five councillors would be the ideal number to form the Task & Finish Group and agreed that two of these would be Councillors Ashford and Mrs Knight. The Committee asked the Committee Services Officer to send out an email to Group Leaders to request additional Councillors to form the Task & Finish Group. It was hoped to get volunteers from each political party. The Committee also delegated the task of deciding who would sit on the Task & Finish Group to the Chairman of Overview & Scrutiny.

### **Resolved** that

- (1) the Scoping Document for the Task & Finish Group – Role of the Warwick District Council Chairman is approved;
- (2) the decision on which Councillors will form the Task & Finish Group is delegated to the Chairman of Overview & Scrutiny Committee;
- (3) ex-Chairmen of the Council can be members of the Task & Finish Group but the majority of members should not have held this position; and
- (4) the Committee Services Officer will ask Political Party Group Leaders for volunteers for the Task & Finish Group.

### **Appendix 4 – Progress on the Action Plan for Recommendations made on HMOs**

The Deputy Chief Executive (AJ) gave an update on the HMO Officer Working Group's Action Plan. This Officer Working Group had been established to take the proposals for HMOs forward. The Action Plan was attached as appendix 4 to the report.

In response to question from Members, it was

### **Resolved** that:

- (1) the content of Appendix 4 – progress on the Action Plan for recommendations made on HMOs is noted;
- (2) recommendation 2.2 - The Deputy Chief Executive (AJ) agreed to find out when red bags would be introduced;
- (3) the Chairman would find out if accommodation break-ins had increased subsequent to boards going up outside properties; and

## **OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**

- (4) recommendation 2.9 - the Head of Health & Community Protection would provide an explanation of her role at the next meeting.

### **63. Annual Feedback on Outside Appointments**

The Committee considered a report from the Deputy Chief Executive & Monitoring Officer and Committee Services which gave:

- the annual statement of work undertaken by Outside Bodies written by the Councillors who represented Warwick District Council on those Outside Bodies. These reports were detailed at appendix 1 to the report; and
- the criteria used by the Deputy Chief Executive & Monitoring Officer to determine whether the appointment of a Councillor to an Outside Body was required. The criteria were detailed at appendix 2 to the report.

Paragraphs 8.1 and 8.2 in the report explained why an annual review of Outside Appointments was undertaken by the Overview & Scrutiny Committee.

Paragraph 8.8 in the report explained why the Committee was reviewing the criteria used by the Deputy Chief Executive & Monitoring Officer to assess whether representation on each Outside Body was necessary. This assessment was made annually prior to the appointment of representatives to Outside Bodies at the start of each Municipal Year by Council.

#### **Resolved** that

- (1) the contents of the annual statement of work (Appendix 1) is noted;
- (2) it is not necessary to request any Councillors serving on Outside Bodies to attend a future meeting to give further detail of the work of the Body and their involvement;
- (3) the criteria used by the Deputy Chief Executive and Monitoring Officer to determine whether the appointment of a Councillor to an Outside Body is required (Appendix 2) is approved; and
- (4) the report delivered to Overview & Scrutiny Committee and/or Council at the start of the Municipal Year stipulates the applicable criteria as assessed by the Deputy Chief Executive and Monitoring Officer against each Outside Body.

(The meeting finished at 8.24 pm)