

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 25 August 2009 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

PRESENT: Councillor Gifford (Chair); Councillors Mrs Blacklock, Boad, Coker, Copping, Ms Dean, Ms De-Lara-Bond, Gill, Mrs Higgins, Mrs Mellor, Weed, White and Wilkinson.

ALSO PRESENT: Councillor Mobbs (Portfolio Holder for Finance)

(Councillor Ms Dean substituted for Councillor Mrs McFarland)

Apologies for absence were received from Councillors Mrs Sawdon and Mrs Scarrott.

22. DECLARATIONS OF INTEREST

Minute Number 27 – Executive Agenda (Non Confidential Items and Reports) – Wednesday 26 August 2009 – South Warwickshire Tourism

Councillors Mrs Blacklock and Gill declared a personal interest because they were directors of South Warwickshire Tourism Ltd.

23. MINUTES

The minutes of the meeting held on 14 July 2009, were taken as read and signed by the Chair as a correct record.

24. CONSULTATION ON STRENGTHENING LOCAL DEMOCRACY

The Committee considered a report from Members' Services on the consultation document produced by the Department for Communities and Local Government (DCLG) called Strengthening Local Democracy which builds on the government's Plan, Building Britain's Future.

The DCLG had asked for comments by 2 October 2009, and this document had also been submitted to the Finance and Audit Scrutiny Committee for comment.

Ben Wesson from Warwickshire Youth Parliament had also been invited to attend the meeting by Councillor Gifford, and gave his view on the consultation document.

He felt that within the document, young people didn't feature enough throughout it and this seemed strange to him and where young people were mentioned, it was only in a negative light. Although he assumed that the term 'citizens' was an umbrella term which included young people.

Overall, he felt that that it was a good consultation document, and recommended that within the Council's response, there should be some comments about engaging with young people more.

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RESOLVED that

- (1) a Joint Task and Finish Group, with Finance and Audit Scrutiny Committee, be established to formulate a draft response to the consultation and were given delegated authority to formulate the comments from the two Scrutiny Committee for forwarding to the Executive; and
- (2) the Joint Task and Finish Group consist of Councillors Gifford and Boad, Ben Wesson (Member of the Youth Parliament) and two Councillors from Finance and Audit Scrutiny Committee.

(Councillor Mobbs left at the conclusion of this item)

25. TEMPORARY GYPSY AND TRAVELLER SITE UPDATE

The Committee considered a report from Housing Strategy on the progress which had been made in identifying a temporary site to meet the accommodation needs of gypsies and travellers.

In the West Midlands Region, six Gypsy and Traveller Accommodation Assessments (GTAAAs) were carried out in 2007.

The identified need for Warwick District Council was assessed through the GTAA, undertaken by the South Housing Market Area Partnership and the assessment found that there was a requirement for 11 permanent pitches and 15 temporary pitches.

Within Warwick District at present, there were no authorised permanent or temporary, privately or publicly owned sites for Gypsy and Travellers,

A Warwick District Council Corporate Working Group had been set up in the summer of 2008 to discuss the criteria to be used in identifying a temporary site.

The group had met twice and using the criteria for permanent sites, as set out in Circular 1/2006 Planning for Gypsy & Traveller Caravan Sites as a guide, identified the criteria for a temporary site. The potential sites that had been explored and the progress made to date, was detailed in the report.

The Committee discussed the issue and agreed that a consultation process with the gypsies and travellers would be helpful in identifying appropriate sites within the District.

RESOLVED that

- (1) the report be noted;

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- (2) a consultation process be undertaken with the Gypsies and Travellers to establish their preference for the location of a temporary site; and
- (3) the officers decision to discount the potential Europa Way site should be reviewed and a new potential site at Birmingham Road, Five Ways, Shrewley, be investigated.

(Councillor White left at the conclusion of this item)

26. 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 item 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.

27. EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 26 AUGUST 2009

The Committee considered the following confidential item which would be discussed at the meeting of the Executive on Wednesday 26 August 2009.

Agenda Item number 14 – South Warwickshire Tourism

The Committee recognised the importance and urgency of this issue and felt that the Executive needed to ensure that the results of the Task and Finish Group were fed into the Budget Improvement programme (BIP) project and that this project needed to start as soon as possible.

In addition, recommendation 2.5 should be amended so that all members were involved in the consultation process, and not just those members determined by Executive.

28. 2009/2010 FIRST QUARTER PERFORMANCE RESULTS

The Committee considered an Executive report (agenda item number 7) from Improvement and Performance on the first quarter performance results for 2009/10 along with the mitigations and corrective actions for those indicators that were off target.

The regular and systematic reporting of performance results against target, trended over time and compared with other authorities was a fundamental element of the Council's integrated performance management framework. The performance management framework in turn remained a key tool for ensuring the Council stayed focussed on what mattered to ensure it delivered its services efficiently and effectively.

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The Committee expressed their significant concern as to how meaningful some of the current indicators actually were and urged the Executive to take the opportunity of the current review of Portfolio Holder statements, to also review indicators and their targets.

RESOLVED that

- (1) the report be noted;
- (2) the Executive be asked to take the opportunity of the current review of Portfolio Holder statements, to also review indicators and their targets.

29. CATERING AUDIT

The Committee considered a report from Cultural Services on the current position of the Council's catering agreements, the timetable for renewing these agreements and identified a range of issues related to the future of catering provision at the Council owned locations.

In order to maximise the return to the Council from its catering leases and agreements, it was considered an appropriate time to produce a forward plan of when and how agreements were going to be renewed in line with current procurement procedures. This would involve an assessment of those agreements and consideration as to whether they presented any further opportunities for generating income for the Council, in light of the current financial position.

A report would be submitted to Executive in December 2009 setting out recommendations for the future provision of catering within Council facilities. As there were several ways in which catering agreements could be procured or provided in the future, views were sought on which options the report to Executive should focus on, and also requested members' views on the future direction of catering provision.

The possible options which the Committee considered were:

1. package all catering opportunities together and extend existing agreements set to expire until such time agreements end simultaneously
2. package certain facilities together by either area (Leamington, Warwick, and Kenilworth) or type (all cafes together, all function catering together, and all leisure centre cafes together)
3. consider managing all catering functions in house and establishing a catering unit to achieve economies of scale across all sites
4. consider managing some functions in house by extending current provision to achieve economies of scale (the Council already manage Royal Spa Centre Catering in house) and let other agreements by testing the market

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5. consider providing vending across all sites separately from other catering provision and procuring a separate vending agreement to achieve better value for the Council. This could include providing for vending at new locations to increase income and profit.
6. consider how meetings were catered for across all sites and if this should be a separate package or if it should be bolted onto the catering lease within the building that a café/catering facility operated.

Appendix 1 to the report, set out the timetable showing when existing agreements expired and needed to be re-let in order to comply with procurement timescales. Each agreement could be let individually, as part of a package of agreements that expired near to each other, or some agreements could be extended to enable the Council to package all the agreements at the same time.

Under each agreement, the Council had several obligations that required the Council to incur cost. Repairs and maintenance, rates and utilities were amongst the costs the Council contributed to the operation of some of its catering facilities. This would need to be considered when negotiating/letting future agreements.

The Committee were pleased to be informed about the options which were open to the Council, but had concerns about options 1 and 2, and didn't believe that options 3 and 4 would be at all viable.

RESOLVED that the report be noted.

30. POSITION STATEMENT ON PRIVATE SECTOR HOUSING, DISABLED FACILITIES GRANTS

The Committee considered a report from Housing Strategy on the current position with regard to the Private Sector Housing, Disabled Facilities Grants (DFGs).

The past 12 months, had seen an increase in the number of complaints received regarding DFGs. This could be attributed to the Service being under pressure due to long term sickness of the member of staff responsible for the administration of DFGs resulting in a backlog of cases, combined with a lack of effective management. These had lead to unacceptable delays in the processing of DFGs.

In response, a number of actions had been put place to deal with the back log, including more effective management and robust monitoring to ensure that the situation did not occur again.

The report also gave details on the DFG process as well as the position with regards to the number of referrals the Council had received since 2007/8, and the number of outstanding DFGs.

The report showed that referrals had been steadily increasing since 2007/08, and of the 270 referrals received since 2007/08, only 106 of these were still live and of these, 73 were waiting approval.

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The Committee had some concerns about the service because it was crucial to the applicants that their application was dealt with as quickly as possible. However, it was recognised that the staff were doing their best to rectify the situation and resolve it as soon as possible, and that many factors within the process were out of the officer's control.

RESOLVED that the report be noted.

(Councillor Mrs Mellor left at the conclusion of this item)

31. LOCAL AREA AGREEMENTS/LOCAL STRATEGIC PARTNERSHIP

The Committee considered a report from the Deputy Chief Executive which gave an overview of the Warwickshire Local Area Agreement (LAA) and the structure and purpose of the Warwick Partnership, the Local Strategic Partnership (LSP) for the district responsible for the delivery of the Sustainable Community Strategy (CSC).

LAAs were agreements between central government and a local partnership of agencies that cover national and local priorities and targets. Their aim was to ensure that all partners in a locality agreed to work together to find better solutions for local people.

In Warwickshire the LAA was between the Government Office for the West Midlands and all public sector and key voluntary sector agencies, including the County Council and the five District/Borough Councils.

In common with all LAAs, it worked on the principle that a widely agreed set of priorities and outcomes should lead to more effective and efficient partnership working and therefore greater benefits to the various local communities within the county.

The overarching vision of the Warwickshire LAA was to make a real and lasting difference to the well-being of the people of the county. It aimed to achieve this by 'narrowing the gaps' in achievement and quality of life issues that exist between those communities and groups within the county that are generally prosperous and achieving well and those that were prevented from doing so through multiple forms of disadvantage.

The Warwickshire LAA had been agreed in 2008 but was 'refreshed' in 2009 for the period up to 2010/11. The LAA established the Warwickshire Public Service Board (PSB) which effectively 'owned' and managed the priorities and targets within the LAA.

Local authorities had a statutory duty, under the Local Government Act 2000 and the Sustainable Communities Act 2007, to prepare a Community Strategy that sets out the long term strategic vision for their area. This strategy was to be developed and delivered in partnership with other key public sector, voluntary and community sector and business sector agencies under the umbrella of a LSP.

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Within our district, the LSP operated under the title of the Warwick Partnership and was responsible for the delivery of the district's SCS.

The SCS sets out the long term vision and priorities for the area (up to 2026), derived from extensive consultation with partners and stakeholders across all the sectors represented in the LSP.

In common with the LAA, the SCS operated on the principle that these shared and agreed priorities focus on those issues and challenges that individual agencies or organisations cannot successfully address in isolation, necessitating a joined up partnership approach.

The SCS had been approved by Executive in June 2009 and would be the key strategy for the district, setting out the LSP's vision (mirrored by the Council's own vision) and provided an overarching framework within which other key local strategies and plans would sit, e.g. the Cultural Strategy, Play Strategy, Children and Young People's Plan, Health and Well Being Strategy, Affordable Housing Strategy etc.

The governance arrangements for the LSP were set out in Appendix 1 to the report and the Guidance from the Audit Commission on the potential scrutiny of LSPs was set out in Appendix 2, to the report.

RESOLVED that

- (1) the report be noted; and
- (2) any future scrutiny work concentrates on the LSP rather than the LAA and members will consider how they wished to scrutinise the work of the LSP, as part of a future discussion on the Committee's work programme.

32. FORWARD PLAN – SEPTEMBER TO DECEMBER 2009

The Committee considered the Forward Plan which had been published for September to December 2009.

The Committee discussed the upcoming report on the Management of Oakley Wood and requested that it be submitted to the Executive in October as stated and that it should not be allowed to slip back to a later date.

RESOLVED that

- (1) the Forward Plan be noted; and
- (2) it be re-iterated to officers that the report on the Management of Oakley Wood be submitted to the Executive in October 2009 as stated, and not at a later date. The report should also include all financial information.

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33. COMMENTS FROM THE EXECUTIVE

The Committee considered a report from Members' Services on the response the Executive gave to the Committees' comments on the reports submitted to the Executive on 15 July 2009.

The report was produced to create a dialogue between the Executive and the Overview and Scrutiny Committee and it ensured that the Overview and Scrutiny Committee were formally made aware of the Executive's responses.

As part of the new scrutiny process, the Committee were no longer considering the whole of the Executive agenda.

On the publication day of the agendas for the previous meetings of the Executive and Overview & Scrutiny, all Councillors were emailed asking them to contact Committee Services, by 10.00am on the day of the Overview and Scrutiny Committee, Tuesday 14 July 2009, to advise which Executive items they would like the Overview and Scrutiny Committee to pass comment on.

As a result the Committee considered the items as detailed in appendix 1 to the report, and the response the Executive gave was also shown.

RESOLVED that the report be noted.

34. REVIEW OF THE WORK PROGRAMME

The Committee considered a report from Members' Services on the Committees' work programme for 2009/2010.

At the Committees' meeting on 14 July 2009, it was agreed that the reports as listed in appendix 1 to the report, would be submitted to the meeting in August 2009.

Royal Spa Centre Task and Finish Group – The Group had their final meeting on 20 August 2009 to complete their final report. This would be submitted to the Committee in September and the Executive in October.

Maintenance of WDC Trees Task and Finish Group – The Group had met on two occasions and had identified witnesses to invite to their meetings. Their report would be submitted to the Committee in November 2009 and the Executive in December 2009.

Expenditure on Tourism Task and Finish Group – The Group met on 10 July 2009 for the fourth time and interviewed Councillor Gill as a witness. The next stage was to meet and review paperwork submitted by the Chief Executive of Shakespeare Country, along with setting a provisional reporting date.

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The report on Scrutiny of Flooding had been delayed to October 2009 because of the current level of work being undertaken by Warwickshire County Council staff. Therefore, the County's Environmental Protection Unit team had not reported to the Warwick Area Committee in July and this report would now be submitted on 22 September 2009. Therefore, a report would be submitted to the October meeting of the Overview & Scrutiny Committee.

At each meeting, the Committee would consider their work programme and make amendments where necessary, and also make comments on specific Executive items, where notice had been given by 9am on the day of the Overview and Scrutiny Committee meeting. The Committee would also receive a report detailing the response from the Executive, on the comments the Committee made on the Executive agenda in the previous cycle.

On a quarterly basis, the Committee would receive performance reports. The Forward Plan was considered at each meeting and allowed the Committee to look at future items and become involved in those Executive decisions to be taken, if members so wished.

RESOLVED that the following items be added into the Committees' work programme:

- (1) Engaging Young People - September 2009; and
- (2) a report on the scrutiny of the Local Strategic Partnership be submitted at a later date, yet to be agreed.

(The meeting ended at 8.40pm)