

# Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 7 February 2017 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Boad (Chairman); Councillors Bromley, Mrs Cain, D'Arcy, Edgington, Gallagher, Margrave, Naimo, Parkins and Mrs Redford.

**Also Present:** Councillors Cross, Gill, Grainger, Mobbs and Shilton.

## 64. **Apologies and Substitutes**

- (a) An apology for absence was received from Councillor Davison; and
- (b) Councillor Gallagher substituted for Councillor Miss Grainger.

## 65. **Declarations of Interest**

Minute 70 Executive Agenda (Non-Confidential Items & Reports – Wednesday 8 February 2017) – Item 10 - Recommendations from the One Stop Shop (OSS) Review

The Chairman declared an interest because he was Chair of Crown Routes (Chain).

## 65. **Minutes**

- (a) The minutes of the meeting held on 4 January 2017 were taken as read and signed by the Chairman as a correct record.
- (b) The minutes of the Health Scrutiny Sub-Committee meeting held on 17 January 2017 were noted.

## 66. **Letting Boards Update**

In November 2015, the Enforcement Manager, Development Services, had provided a report to Overview & Scrutiny in response to concerns that had been raised about the proliferation of Letting Board notices being placed in front of properties in various parts of Royal Leamington Spa, mainly where there were large numbers of student accommodation. At that time, the Enforcement Manager had spoken about initiatives being driven forward to reduce this. She was able to report a significant reduction in the number of letting boards being erected and she was asked to monitor the situation and give a report in a year.

The Enforcement Manager reported that following inspection visits to 14 streets that had been notorious for the problem; she had counted only 20 boards in situ, which, on further investigation, were there for wholly legitimate reasons. This demonstrated that the Council no longer had a reason to approach the Secretary of State with a request to have the power to apply Regulation 7, restricting the display of letting boards with financial penalties imposed on those who flouted the regulations.

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The Enforcement Manager informed Members that letters were still sent to estate agents reminding them of their obligations, and the Council kept records on instances when estate agents broke the 14 day rule to remove the noticeboard following a successful let. 16 complaints had been received from around Royal Leamington Spa about the problem in the last 12 months.

The Chairman thanked the Enforcement Manager for the update.

### **67. Portfolio Holder Update – Neighbourhood Services**

The Portfolio Holder for Neighbourhood Services, Councillor Shilton, gave an update on his portfolio area. In response to questions, he informed the Committee that:

- Street sweeping was undertaken in rural areas as and when required. Members who wanted an electronic list of the rota would need to make individual requests due to the size of the file which contained all rotas for the District.
- There were mechanisms in place to deal with contractors who did not perform work to the standards required. These included the right to serve default notices and fines and to bring in alternative contractors to handle the work.
- The Rapid Response Unit prioritised calls received according to the standards set by the Council and dealt with problems that involved immediate danger first.
- New technology for paying for parking was being evaluated. The Council planned to upgrade its pay and display machines within two years and was looking at options to reduce the heavy reliance on coins.
- A review of the Ranger Service was underway and a report would be going to Executive.
- A briefing note would be going to Executive in April on fly tipping and HMOs with a view to getting authorisation for an in-depth review.
- Linen Street car park was open on five floors only, but some of those car parking spaces were for permit holders. A report would be going to Executive in June.

### **68. Waste Collection Service Update**

In June 2016, the Overview and Scrutiny Committee reviewed a report from Neighbourhood Services which highlighted the performance of the waste collection services for the first four months of 2016. The Committee requested a further review once six more months had passed.

The Committee considered a report from Neighbourhood Services which gave details of the latest six months of performance from the waste collection service for the period July 2016 to December 2016.

In response to questions, the Contract Services Manager informed the Committee that:

- When residents failed to put out their grey bin for emptying, this was recorded. This meant that should the resident later phone to

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

complain that their bin had not been emptied, the Council could prove that the fault lay with the resident.

- Failure to put out the grey bin for emptying did not trigger an alarm that something might have happened to the resident.
- If residents burnt their refuse rather than putting it out for collection, the Council would only investigate this if it was reported.

**Resolved** that the report be noted.

### **69. Waste Container Charging Regime**

The Committee considered a report from Neighbourhood Services which reviewed the first eight months of the policy introduced to charge households for the provision of waste containers.

In response to questions, the Senior Contract Manager informed the Committee that:

- The reason given by 12% of residents who made requests for replacement containers was that their container had gone missing.
- The delivery charge made for replacement containers was the source of most complaints about the charging regime. Some residents had asked for collection points to be set up but this would have to be done at the depots, and there were health and safety issues which made this an impractical option because depots were very busy with vehicles coming and going.
- Containers damaged by the contractor's collection equipment was replaced free of charge. The contractor generally informed residents when there was damage caused to bins.
- There were no plans to introduce wheelie bins to houses where they were not currently in use.
- A report would be provided to the Committee again in six months and would contain an updated pie chart as given in the previous report "Waste Collection Service Update", paragraph 8.2.

**Resolved** that:

- (1) The report be noted; and
- (2) A further update report is brought to the Committee in six months which will include the updated pie chart as provided in the "Waste Collection Service Update" report at paragraph 8.2.

### **70. Executive Agenda (Non-confidential items and reports) – Wednesday 8 February 2017**

The Committee considered the following non-confidential item which would be discussed at the meeting of the Executive on Wednesday 8 February 2017.

#### **Item 10 – Recommendations from the One Stop Shop (OSS) Review**

The Committee noted the report.

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### **71. Anti-Social Behaviour Policy (Housing)**

The Committee considered a report from Housing & Property Services which gave it an opportunity to pre-scrutinise the Anti-Social Behaviour Policy that would be going forward to Executive in March.

The policy covered the work of Housing & Property Services as it carried out its function as a landlord to tenants in the District. The current policy was out of date, for example, it did not reflect new powers that had come into force in the Anti-Social Behaviour and Policing Act 2014.

The new policy would assist in framing new procedures and training for staff and would help improve the Council's services in this important area of business.

The Tenancy Manager informed Members that the policy was focussed on anti-social behaviour issues which were in contravention of the housing and tenancy agreement, and the Council relied on the policy for bringing any cases to court.

**Resolved** that the report be noted.

### **72. Revised Call-in Procedure for Warwick District Council**

The Committee considered a report from the Democratic Services Manager and Deputy Monitoring Officer which brought forward a revised proposal for the call-in procedure for Warwick District Council. The proposed new procedure was set out in Appendix 3 to the report.

In April 2015, the Council adopted a revised call-in procedure. The first time this procedure was applied was in December 2015, when the Leisure Development Programme was called-in. It became apparent that the procedure relied on the Monitoring Officer to determine how the procedure fell within the policy framework and was therefore eligible to be called-in, a process which could be open to interpretation and challenge. Consequently, Council, as part of the Annual Governance Statement, asked officers to review the current procedure and ensure that a more robust procedure was put in place.

The Deputy Chief Executive (AJ) informed Members that paragraph 11 in the proposed new procedure set out in Appendix 3 to the report was an enhancement to the current procedure, and mirrored the process followed at Warwickshire County Council.

Members felt that the change in procedure in paragraph 14 was unnecessary. Currently, if the matter was referred back to the Executive, and Executive amended the decision in any way, the decision could be subject to further call-in. In the proposed procedure, this had been stopped. The Deputy Chief Executive informed them that this had been included to stop a loophole which would mean the decision was open to being called-in repeatedly. Members felt that as this had never happened, and was highly unlikely ever to happen, this precaution was not required and should not be included.

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**Resolved** that paragraph 14 in the Proposed Call-in procedure for Warwick District Council as set out in Appendix 3 to the report be revised so that if the original decision or wording of the decision is changed by the Executive in any way, then it becomes a new decision and can be subject to the call-in procedure.

### **73. 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 in January 2017.

**Resolved** that the report be noted.

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

The Committee considered its work programme for 2017 and the Forward Plan.

#### Task & Finish Group - HMOs

Councillor Naimo reported that the Group had met the day before. The project was currently in the consultation phase and it was intended to bring the report for approval to Overview & Scrutiny Committee in April.

#### Task & Finish Group – Off-street car parking charges review

Councillor Boad reported that the Group had drawn up a list of recommendations it would be making. It had already undertaken its consultation phase and did not have a further meetings scheduled. It was intended to bring the report for approval to Overview & Scrutiny Committee in March.

The Committee did not add any further items to its Work Programme. It had already agreed an update report be given in six months' time on the Waste Container Charging Regime (Minute 69).

### **75. Executive Agenda (Non-confidential items and reports) – Wednesday 8 February 2017**

The Committee considered the following non-confidential item which would be discussed at the meeting of the Executive on Wednesday 8 February 2017.

#### Item 9 – A new bridge over the River Avon on St Nicholas' Park, Warwick, and improvements to the Myton Fields car park

The Committee noted the report.

(The meeting finished at 8.02 pm)