

Overview & Scrutiny Committee Tuesday 26 March 2024

A meeting of the above Committee will be held in Shire Hall, Market Place, Warwick on Tuesday 26 March 2024, at 6.00pm.

Councillor A Milton (Chair)

Councillor D Armstrong (Vice Chair)

Councillor A Barton

Councillor M Luckhurst

Councillor D Browne

Councillor J Payne

Councillor M Collins

Councillor P Redford

Councillor A Day

Councillor D Russell

Councillor D Harrison

Councillor JP Sullivan

Emergency Procedure

At the commencement of the meeting, the emergency procedure for Shire Hall will be announced.

Agenda

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. Minutes

To confirm the minutes of the following meetings:

- (a) 23 January 2024
- (b) 6 February 2024

(To follow)
(Pages 1 to 3)

4. Work Programme, Forward Plan & Comments from Cabinet

To consider a report from Governance.

(Pages 1 to 14)

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General Enquiries: Please contact Warwick District Council, Town Hall, Parade, Royal Leamington Spa, CV32 4AT.

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports.

You can e-mail the members of the Committee at

oandscommittee@warwickdc.gov.uk

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Overview and Scrutiny Committee

Minutes of the meeting held on Tuesday 6 February 2024 at Shire Hall, Warwick at 6.10pm.

Present: Councillor Milton (Chair); Councillors Armstrong, Barton, Browne, Collins, D Harrison, Luckhurst, Payne, Redford and Russell.

73. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors Day and Sullivan.
- (b) There were no substitutions.

74. **Declarations of Interest**

There were no declarations of interest made.

75. **Minutes**

The minutes of the Overview and Scrutiny Committee meeting held on 5 December 2023 were taken as read and signed by the Chair as a correct record.

76. **Work Programme, Forward Plan and Comments from the Cabinet and Council**

The Committee considered its Work Programme for 2024 as detailed at Appendix 1 to the report as well as the responses Cabinet had made to reports the Committee had scrutinised at its meeting on 6 December 2023 and the Budget Review Group had scrutinised at its meeting 1 November 2023 (Appendix 2 to the report). Appendix 3 to the report was a list of the 10 most valuable contracts managed by the Council.

The format of the Work Programme had been changed following discussions held at the Committee's meeting in January. The changes had been developed in order for the Committee to focus on the four agreed core themes, namely Risk, Climate Emergency Action Plan, Medium Term Financial Strategy and Corporate Strategy.

The Chair explained that some items on the Work Programme had been changed so that they were now briefing papers to all District Councillors rather than reports to just the Overview & Scrutiny Committee.

The appendix setting out the 10 most financially valuable contracts managed by the Council had been brought forward at the request of the Committee. This was to enable it to consider these and if it wanted to look at the performance of any of these in more detail.

Looking forward to the business on the Work Programme for the 5 March 2024 meeting, the Significant Business Risk Register (SBRR) was scheduled to be considered by Cabinet. The Deputy Chief Executive explained that during 2024, the Council intended to review its approach to

risk management, risk policy and how this was linked to projects. This was following feedback from the recent Peer Review. He would provide a progress report at the next meeting if it was required. The Chair explained that the Committee would examine themes when reviewing the SBRR following its revision rather than looking at specific risks. This would be guided by the revised risk policy.

The Digital Strategy would now be included as part of the Change Programme scheduled for Cabinet in March. The Deputy Chief Executive explained that back in February 2023, the Council had made a commitment to undertake a Change Programme, a key element of which was digital transformation. The Digital Strategy would be combined into the report for the Change Programme, spelling out the business case and the case for change.

The Future High Street Funds update was also scheduled to be considered by Cabinet in March 2024.

The annual update from the South Warwickshire Community Safety Partnership (SWCSP) was also scheduled to be considered by the Committee in March. The Principal Committee Services Officer was asked to approach the Head of Service and request that a member of the Police should be invited to attend the meeting if possible. Members had raised questions about the 101 service when the Police had attended the previous year and wanted an update about how the 101 service was being co-ordinated to record all the telephone calls in the statistics. Councillor Falp would also be invited as she was the Council's non-Cabinet representative on the SWCSP as well as the Portfolio Holder for Communities and Leisure, Councillor Sinnott. The Deputy Chief Executive suggested that the Committee would also wish to examine the SWCSP's Action Plan.

The Committee noted the contents of Appendix 2 to the report.

Appendix 3 to the report listed the top 10 contracts by value managed by the Council. A top 10 projects list was expected in April. Members requested that the following contracts should be scrutinised:

- Leisure Services Provider 2017;
- Gas Servicing;
- General Housing Repairs;
- Joint Waste Collection Service for SDC and WDC;
- Grounds Maintenance Services;
- General housing repairs and voids; and
- Street Cleansing Services.

The Design and Build of Castle Farm & Abbey Fields would be examined when the Committee looked at projects.

The Principal Committee Services Officer was asked to request that Finance should send a note to the Members explaining why the contract figure for the Managed Card Payment Service was so high and the rationale behind this.

The Chair considered that the General Housing Repairs and Voids should be prioritised because the contract only had two years left to run and would be considered at the 30 July 2024 meeting.

Members asked for the following information to be provided in a report to the Committee:

- a survey of how well the repairs were undertaken, the time taken to undertake the repairs once a request was made, the effectiveness of the repair and quality of the work – performance;
- how were repairs prioritised and the process;
- what number (percentage) of repairs had to be repeated and timescales. What number (percentage) were not carried out to a satisfactory standard;
- what was not working and what was working;
- where things were going wrong, what proportion was that of the overall numbers;
- understanding why some parts of the service were performing well against other parts of the service that might be struggling to hit expectations;
- “Housemark” – allowing the Council to compare with other services and providers – where did the Council sit in comparison; and
- performance measured over the last 12 months and the measures used in terms of quality, satisfaction and costs.

The Committee would review performance and value for money which would also involve comparison to other providers.

At the Committee’s 26 March meeting, the Committee would determine what it would wish to see covered in a report to it on the Leisure Services contract. The report would be considered at the Committee’s 13 November 2024 meeting.

(The meeting ended at 6.45pm)

CHAIR
26 March 2024

Overview & Scrutiny Committee
26 March 2024

Title: Work Programme, Forward Plan & Comments from Cabinet
Lead Officer: Lesley Dury, Principal Committee Services Officer
Portfolio Holder: Not applicable
Public report
Wards of the District directly affected: Not applicable

Summary

This report informs Members of Overview & Scrutiny Committee:

- (1) of the Committee's work programme for 2023 (Appendix 1);
- (2) the two items to be discussed, led by the Chair at the Committee's meeting on 26 March 2024, detailed on page 5 of Appendix 1:
 - a. Leisure Services Provider 2017 (contract ref WDC0108); and
 - b. Homelessness
- (3) responses that Cabinet gave to comments and recommendations made by the Budget Review Group regarding the reports to Cabinet 6 March 2024 (Appendix 2).

Recommendations

- (1) That Members consider the work programme (Appendix 1), the themes the Committee intends to scrutinise this year and agree changes to its Work Programme appropriately.
 - (2) That the Committee:
 - identifies any Cabinet items on the [Forward Plan](#) on which it wishes to have an input before the Cabinet makes its decision; and
 - nominates a Member to investigate that future decision and report back to the Committee.
 - (3) That Members note the responses made by Cabinet on the Comments from the Cabinet report (Appendix 2).
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1 Background/Information & Reasons for the Recommendation

- 1.1 The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.
- 1.2 Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Cabinet decisions and to feed into policy development.
- 1.3 The pre-decision scrutiny of Cabinet decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Cabinet decisions, the

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Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.

- 1.4 The Council's Forward Plan is published 28 days before each Cabinet meeting and sets out the key decisions that are expected to be taken by the Cabinet in the next twelve months.
- 1.5 A key decision means a decision made in the exercise of an executive function by any person (including officers) or body which meets one or more of the following conditions:
 - (1) The decision is likely to result in the Council incurring expenditure or the making of savings in excess of £150,000. Excluded from this are all loans to banks or other financial institutions made in accordance with the Treasury Management Strategy.

Officers' delegated powers to make the cabinet decisions are subject to the key decision/call-in regime where it is likely that the Council would incur expenditure or make savings above the threshold of £150,000.

In relation to letting contracts the key decision is the proposal to let a contract for a particular type of work. The subsequent decision to award the contract to a specific contractor will not be a key decision provided the value of the contract does not vary above the estimated amount by more than 10% for contracts with a value of up to £500,000 or 5% for contracts of over £500,000.

- (2) The decision is likely to be significant in terms of its effects on communities living or working in any two or more Wards.

In considering whether a decision is likely to be significant, a decision-maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected.

- 1.6 The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Cabinet decisions to be taken if members so wish.
- 1.7 The Forward Plan also identifies non-key decisions to be taken by Cabinet in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.
- 1.8 There may also be policies identified on the Forward Plan, either as key or non-key decisions, which the Committee could pre-scrutinise and have an impact upon how these are formulated.
- 1.9 The Committee should be mindful that any work it wishes to undertake would need to be undertaken without the need to change the timescales as set out within the Forward Plan.
- 1.10 At each meeting, the Committee will consider its work programme and make amendments where necessary, and also make comments on specific Cabinet

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items, where notice has been given by 9am on the morning after Group meetings. The Committee will also receive a report detailing the response from the Cabinet, on the comments the Committee made on the Cabinet agenda in the previous cycle.

- 1.11 The Committee will consider issues that have due significance with reference to the following criteria:
 - The number of residents impacted and the significance of that impact.
 - The amount of spend involved.
 - It concerns a strategic priority of the Council or key project.
- 1.12 On the day of publication of the Cabinet agenda all Councillors are sent an e-mail asking them to contact Committee Services, by 09.00am on the day of the Overview and Scrutiny Committee meeting to advise which Cabinet items they would like the Committee to consider.
- 1.13 The proposed plan at Appendix 1 has been developed in order for the Committee to focus on the four agreed core themes (Risk, Climate Emergency Action Plan, Medium Term Financial Strategy and Corporate Strategy).

Criteria for Items on the work plan	Scheduled Meeting dates
<ol style="list-style-type: none"> 1. High Risk 2. High Value 3. Major Project 4. Decreasing Performance 5. Statutory/Constitution requirement 	<p>26/3/2024 (NC) 9/4/24 4/6/2024 2/7/2024 30/7/2024 (NC) 3/9/2024 24/9/2024 (NC) 15/10/2024 13/11/24 (NC) 3/12/2024 21/1/2025 (NC) 4/2/2025 18/2/2025 (NC) 18/3/2025 *NC = No Cabinet meeting</p>

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Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
<p>Leisure Services Provider 2017 (contract ref WDC0108)</p> <p>The Chair to lead the O&S Committee in discussion to determine the points it wishes detailed in the report that will come to it at its 13 November meeting. These will be relayed to the report author and PH by the CSO.</p>	The Chair	26/3/2024	O&S Feb 2024		
<p>Homelessness</p> <p>The Chair to lead the O&S Committee in discussion to determine the points it wishes detailed in a report that will come to it at a meeting yet to be determined. These will be relayed to the report author and PH by the CSO.</p>	The Chair	26/3/2024	O&S 5 March 2024		
<p>Climate Change Action Programme Update (and discussion paper on how best to focus and scrutinise the five themes below)</p> <ol style="list-style-type: none"> 1. Offsetting and any potential for getting involved in early policy development; 2. Issue of adaptation; 3. Data tracking (including carbon emissions) and how this can be most efficient. 	Dave Barber Councillor Davison	9/4/2024	O&S Jan 2024		2&3

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Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
4. Biodiversity Action Plan 5. Residents Engagement & Communication					
O&S End of Term report.	Committee Services Officer.	9/4/2024	Standing Annual Item, Constitution requirement	Annual report 18 March 2025	5
Review of the Significant Business Risk Register	Chris Elliott Councillor Davison	9/4/2024 & Cabinet 5/4/24	Forward Plan ref 1374		Yes to identify themes and risks
General Fund Budget Medium Term Financial Strategy, how it is calculated and associated risks	Andrew Rollins Councillor Chilvers	9 /4/2024			
Elect a Chair and Vice Chair if this was not done after Annual Council		4/6/2024	Standing Annual Item	On-going at the first meeting of each Municipal Year	5
To appoint members to the Budget Review Group (add the Group's remit which is saved to the annex in the Constitution)		4/6/2024	Standing Annual Item.	On-going at the first meeting of each	5

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
				Municipal Year	
Appoint Children's and Adults' Safeguarding Champion		4/6/2024	Standing Annual Item.	On-going at the first meeting of each Municipal Year	5
<p>Summary of the role, responsibilities and performance of the SWCSP.</p> <p>Invite Councillor Falp (non-Exec rep) and the PH Safer Communities to O&S (This report was originally scheduled 2023/24 so the reps for that year were Councillors Sinnott and Falp)</p> <p>See minute 76, 6 February 2024 for details requested in the report.</p>	Liz Young / Marianne Rolfe.	4/6/2024	This is a Statutory requirement	Annual report next due March 2025 (It should have been given in March 2024 which makes next report March 2025)	5
Future High Streets Fund update – the Committee asked for amendments to the Risk Register see confidential minutes 4 July 2023.	Martin O'Neill	4/6/2024 & Cabinet 5/6/2024	O&S February 2023	Every 3 months until further notice	1, 2, and 3
Quarterly Budget Update	Steven Leathley Councillor Chilvers	4/6/2024 (Cab report)			1 & 2

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
Housing Revenue Account Budget the risks associated with it	Lisa Barker Councillors Chilvers & Wightman	4/6/2024			
General housing repairs & voids Contract ref WDC0007	Steve Partner Councillor Wightman	30/7/2024	O&S Feb 2024	List of points that should be covered in the report are in the minutes of 6 Feb meeting. On 12 March 2024, the CSO advised the two Heads of Service (SP and LB) that the report was required for July meeting. A reminder will be sent nearer the time.	
Quarterly Budget Updates	Steven Leathley Councillor Chilvers	3/9/2024 (Cab report)			1 & 2
Six-month post opening update on the "Relocation of Office Accommodation and the Provision of Public Facing Access to Council Services, including, financial cost of each aspect, savings, communication and residents feedback	Steve Partner Dave Elkington Tracy Dolphin Councillor J Harrison	15/10/2024			3

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
Quarterly Budget Updates	Steven Leathley Councillor Chilvers	15/10/2024 (Cab report)			1 & 2
<p>Corporate Strategy - the Corporate Strategy should be reviewed on a yearly basis, in the same way that the annual governance statement comes through scrutiny to make sure the Council is properly governed. More specifically, the Committee would like to see an annual strategy progress update, looking at the big picture and how the Council is working towards its goals and values</p> <p><i>"In response to the request from the Overview & Scrutiny Committee to provide clarity on the review process on the "who, what, when and how", this would be set out in the first annual report to Overview & Scrutiny Committee in November 2024".</i></p>	Chris Elliott Councillor Davison	13/11/2024 (NC)	O&S 3 October 2023		3
Council's Performance Data – to help shape the data in a positive and constructive way	Graham Leach Councillor Davison	13/11/2024 – subject to Review with Chair & Vice Chair of Committee, in early July, of SAP performance and new Policy,			3 & 4

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Lead Officer / Councillor	Meeting Date	Where did item originate from	Notes	Continue?
		Performance & Complaints Manager in post.			
Leisure Services Provider 2017 – contract ref WDC0108	Marianne Rolfe Councillor Sinnott	13/11/2024	O&S Feb 2024 and also 26 March 2024	See minutes of 26 March 2024 meeting for content the Committee wish to see covered in the report.	2
Quarterly Budget Updates	Steven Leathley Councillor Chilvers	4/2/2024 (Cab Report)			1 & 2

Scheduled Briefing Notes to All Councillors requested by the Committee

Title	Lead Officer	Update Due by (end of Month)
Children's and Adults' Safeguarding Champions: End of Term Report.	Marianne Rolfe.	April every year
Members' Annual Feedback on Outside Appointments / Annual review of membership/participation of Outside Bodies (Includes a short synopsis on Champions)	Graham Leach	April every year
Review on the Identification and Remediation of Damp and Mould in Council Homes to include: <ul style="list-style-type: none"> • What was happening with the policy; • Was it being put into action; and • The impact it has made 	Steve Partner Councillor Wightman	April 2024
Noise Nuisance Investigations: Review of the Policy and the service area's performance in respect of all forms of noise nuisance more generally. – Moved to briefing paper to all Councillors for information setting out performance and append to work plan for comment consideration of further scrutiny	Marianne Rolfe	April 2024
Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing - Briefing for all Councillors of how this process is working.	Paul Hughes Councillor Wightman	June 2024
Update - plans to improve accessibility to, and the condition / cleanliness of, toilets and play areas for people living with disabilities. - Update to all Councillors from Officers on the work that has taken place following the meeting at Committee.	Zoe Court Councillor Roberts	June 2024

Title	Lead Officer	Update Due by (end of Month)
Review additional Licensing Scheme to include: <ul style="list-style-type: none"> • How effective it had been. • How many licenses had been issued. • Was there enough resources in place 	Paul Hughes Councillor Wightman	August 2024
<p>Resident Engagement Strategy (report to Cabinet August 2023). The Committee is keen to understand a) how is it going? And b) what are we learning? (include some examples of changes that have been made as a result of the consultation.) - Change to Councillor Briefing session in first instance covering these areas. Also raised by Asset Compliance Committee as an area that needs to be understood</p> <p>The question that sits behind this is as-to whether this is a good use of the Council's resources. There are benefits to us as a Council from getting resident feedback and what we'd like to get is visibility of those. This is 'value for money' in its broadest sense (No need to come with figures and a ROI.)</p> <p>Housing is one of the biggest ways that we impact residents' lives and getting a bit more visibility amongst members of some of the good things we do but also some of the challenges residents face will be valuable"</p>	Sally Kelsall/ Councillor Wightman	September 2024
Revised Arrangements for Destination Management Organisations	Martin O'Neil	Martin please advise

**Response from the meeting of Cabinet on the O&S Committee's Comments –
6 March 2023**

Item 4 – Treasury Management Strategy 2024/25

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their hard work bringing the detailed and thorough report forward. The Committee was reassured by explanations around sensitivity analysis and the impact on Milverton Homes.

The Committee welcomed the initiative to bring forward more information on Treasury Management and affordability when decisions were being made on capital expenditure. It was pleased that the Portfolio Holder, Councillor Chilvers was keen to explore the initiative to set clear parameters to enable councillors to be confident in future borrowing decisions.

Cabinet Response:

The recommendations in the report were approved.

Item 6 – Housing Revenue Account Business Plan Review 2024

Scrutiny Comment:

The Overview & Scrutiny Committee did not scrutinise this report at the meeting but made comments to Cabinet.

Members were keen to see maximum attendance at training sessions so asked that these, where possible, avoided holiday periods. However, to mitigate for this, the Committee requested that training sessions should be recorded (whilst also appreciating that external trainers might not be open to this request).

The Committee also requested that when HRA reports were to be considered in future, this should always be accompanied by a briefing to Members in advance.

The Committee intends to add this report to the Overview & Scrutiny workplan in line with dates for further training.

Cabinet Response:

The recommendations in the report were approved.

Item 11 – Change Programme – Case for Change

Scrutiny Comment:

The Overview & Scrutiny Committee was keen to see that Customer Services were baselined and tracked to ensure that these reflected the commitment made in the Corporate Strategy to improve Council services.

The Committee requested a specific update on Change Programme progress following the Programme Board meeting scheduled in June.

Recommendation to Cabinet

The Committee recommended that all Members received regular communications from the Members Advisory Group detailing the outcomes, outputs and actions.

Cabinet Response:

The recommendation from the Overview & Scrutiny Committee and the recommendations in the report were approved.

Item 13 – Q3 Budget Update 2023/24

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for the detailed and comprehensible report. The Committee supported the Finance Team's strategy to work with budget managers to improve budget management to smooth volatility and reduce peaks. This would result in a more measured view of what was going on.

Cabinet Response:

The recommendations in the report were approved.

Item 14 – Annual Governance Statement 2022/23

Scrutiny Comment:

The Overview & Scrutiny Committee did not scrutinise this report at the meeting but made comments to Cabinet.

The Committee expressed concern about the lateness in signing off the AGS which the Head of Finance explained was linked to the delay in signing off the Council's Statement of Account and he explained how this would be overcome in the future with a backstop date being agreed.

The Committee requested that the AGS should be produced sooner in order to support a strong focus on governance.

Cabinet Response:

The recommendations in the report and addendum were approved.