

# OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 9 June 2009 at the Town Hall, Royal Leamington Spa at 6.00 p.m.

**PRESENT:** Councillors Barrott, Mrs Blacklock, Boad, Coker, Copping, Ms De-Lara-Bond, Gifford, Gill, Mrs Higgins, Mrs McFarland, Mrs Sawdon, Mrs Scarrott, Weed and White

**ALSO PRESENT:** Councillor Mrs Gallagher (Portfolio Holder for Cultural Services)  
Councillor Mrs Grainger (Portfolio Holder for Housing and Property Services)  
Councillor Shilton (Portfolio Holder for Neighbourhood Services)

## 1. APPOINTMENT OF CHAIR

**RESOLVED** that Councillor Gifford be appointed a Chair for the ensuing year.

## 2. DECLARATIONS OF INTEREST

### Minute Number 4 – Call-In – Executive – 14 April 2009

Councillor Mrs Sawdon declared a personal and prejudicial interest because she was on the working party who put the proposals together and she left the room for this item.

Councillor White declared a personal and prejudicial interested because he was a member of the Executive when the decision on this item was taken, and he left the room for this item.

### Minute Number 7 – Business Improvement Programme (BIP)

Councillor White declared a personal interest because he was a member of the Executive when the programme was approved. However he had not been involved in any of the individual projects.

### Minute Number 4 – Performance Targets – Quarter 4

Councillor White declared a personal and prejudicial interest because he was a Portfolio Holder and a member of the Executive during Quarter 4.

### Minute Number 6 - Executive Agenda (Non Confidential Items and Reports) – Council Meeting Agenda Format

Councillor White declared a personal interest in this item because he was a member of the Executive when this item was first discussed, and recommended to Council for a decision.

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

### **Minute Number 6 - Executive Agenda (Non Confidential Items and Reports) – Members Allowances 2009/2010**

Councillor White declared a personal interest in this item because he was a member of the Executive when this item was first discussed, and recommended to Council for a decision.

### **Minute Number 6 - Executive Agenda (Non Confidential Items and Reports) – Memorandum of Understanding (MOU) for Waste Collection/Disposal**

Councillor White declared a personal and prejudicial interest because the Executive had made decisions with regard to Waste Management when he was a member of the Executive and a Portfolio Holder.

### **Minute Number 9 – Recycling and New Refuse Collection Scheme**

Councillor White declared a personal and prejudicial interest because he was a member of the Executive and had made previous decisions with regard to Waste Management.

### **Minute Number 11 – Comment from the Executive**

Councillor White declared a personal interest because he was a member of the Executive when the Executive made their responses on the Committees' comments.

## **3. MINUTES**

The minutes of the meetings held on 17 March and 14 April 2009 were confirmed as a correct record and signed by the Chair.

## **4. CALL-IN – EXECUTIVE – 14 APRIL 2009**

In accordance with Council Procedure Rule 19, of the Council's Constitution, the Executive decision on the Proposed Changes to the Council's Discretionary Assisted Travel Scheme was called-in to the Overview and Scrutiny Committee by Councillors Barrott, Boad, Gifford, Copping, De-Lara-Bond and Mrs Knight.

The Interim Deputy Chief Executive, Andrew Jones, attended the meeting and answered questions from members. The Committee had a concern that proposed scheme was discriminatory to disabled people. However, since the meeting the Interim Head of Legal Services had clarified that this was not the case.

After a debate about the proposed scheme, it was agreed that the decision would be referred to the Council for discussion on 8 July 2009. The Council's comments would be forwarded to the Executive on 15 July when the decision was reconsidered.

**RESOLVED** that the decision be referred to Council on 8 July 2009.

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

### **4. PERFORMANCE TARGET – QUARTER 4**

The Committee considered a report, which was enclosed within the Executive agenda, on the fourth quarter performance targets.

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.

As in previous quarters, a report relating to each Portfolio had been prepared and arranged to enable the Overview and Scrutiny Committee to hold portfolio holders to account for the performance of services within their portfolio area. The information in section 7 of the report contained full exception, mitigation and correction actions.

When examining performance results for any given area the following points should be considered with relation to the results achieved and used to evaluate the appropriateness of any corrective action proposed:

- Result against target
- Result compared to previous results - trend over time.

Councillor Mrs Gallagher, Portfolio Holder for Culture attended the meeting and addressed the Committee on two performance targets within her portfolio area, SF1 and SF3.

Councillor Shilton attended the meeting as Portfolio Holder for Neighbourhood Services and addressed the Committee on one performance target within his portfolio area, NI195C.

Councillor Mrs Grainger, Portfolio Holder for Housing and Property Services attended the meeting and addressed the Committee on one performance target within her portfolio area, CS2(3).

Councillor Doody, Portfolio Holder for Strategic Leadership had been invited to attend the meeting and address the Committee on two performance targets within his portfolio, PE11 and PE16. However, he was unable to attend and the Deputy Chief Executive, Bill Hunt, answered the Committees' questions.

All the Portfolio Holders answered questions on their portfolio areas and Councillor Mrs Grainger was praised for the improvement which had been made with her performance targets.

#### **RESOLVED** that

- (1) the report be noted; and
- (2) the Portfolio Holders be thanked for attending the meeting.

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

### **5. WARWICK BUSINESS IMPROVEMENT DISTRICT (BID)**

The Committee considered a report from the Warwick Town Centre Manager on the Warwick Business Improvement District (BID).

The County and District Councils were supporting Warwick town centre's business community to develop a Business Improvement District (BID) to enhance and promote the town. The report outlined the BID concept, the key stages in Warwick BID's development and the potential financial implications for Warwick District Council.

A lot had been done in recent years to enhance, animate and promote Warwick town centre. However there was still a gap between what could be delivered with existing resources and the aspirations of businesses.

Over the last two years, the County and District Councils had supported Warwick businesses to investigate the feasibility of introducing a BID to close this gap. Warwick Chamber of Trade and Warwick Castle had also provided financial support and sit on the BID Development Group.

Business Improvement Districts were an arrangement whereby businesses get together, decide what improvements they want to make in their trading environment, how they were going to manage and deliver those improvements and what it would cost them. This all goes into a business plan which was voted on by all those who would have to pay. The BID can last for a maximum of 5 years and must be able to demonstrate how it had benefited the businesses who had funded it.

**RESOLVED** that the report be noted.

### **6. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 10 JUNE 2009**

#### **Agenda Item Number 7 - Council Meeting Agenda Format**

The Overview and Scrutiny Committee had strong concerns about the amendments to the Council Procedure Rules with regard to the Council meeting agenda, as it was felt that the amended agenda did not give the opportunity to non-Executive members from all parties to debate the resolved Executive decisions. This stifling of the debate may result in more decisions being 'called-in' so that those non-Executive members are given an opportunity to voice their comments and concerns.

However, the Committee were pleased at the suggestion of supplementary questions to the Portfolio Holders.

The Committee would also like to see the inclusion of a standing item on the Council Agenda of 'Youth Forum' as recommended by the Engaging Young People Task and Finish Group (page 569 of the Executive agenda). The Committee felt strongly that young people should be engaged as fully as possible with the democratic process.

## OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)

The Committee also suggested that a meeting of the four Group Leaders be arranged so that this issue can be moved forward taking into account the views of all the parties.

### Agenda Item Number - Member Involvement in BIP Project

The Overview and Scrutiny Committee felt that there should be member involvement in the projects with regard to the Culture Trust, Systems Thinking and the Future of the Town Hall.

From the Liberal Democrat Group, Councillors Gifford and De-Lara-Bond were nominated to the Culture Trust project and Councillor Mrs Blacklock was nominated to the Future of the Town Hall project. The Labour Group would finalise their nominations in due course.

### Agenda Item Number 18 - Memorandum of Understanding (MOU) for Waste Collection/Disposal

The Overview and Scrutiny Committee had serious concerns about the MOU and felt that a presentation or seminar to all members would be useful. The Committee also felt that whatever the decision, members needed more information on the disposal of residual waste.

### Agenda Item Number 22 - Members Allowances 2009/10

The Overview and Scrutiny Committee supported that recommendations in the report, and also suggested that the Inland Revenue rates on mileage should be applied to all Councillors, whatever the type and engine size of the vehicle. This would mean a rate of 40p per mile. This could be implemented straight away as Trade Unions would not need to be involved, as it would only involve members.

## 7. **BUSINESS IMPROVEMENT PROGRAMME (BIP)**

The Committee considered a report from Organisational Development and Performance Improvement on the Business Improvement Programme (BIP).

The BIP had been devised to respond to the continued budget challenge over the next 3 years and includes a range of projects to support customer focussed improvement work and to make significant savings. Member engagement and involvement would be crucial to the success of these projects.

The report outlined the approach to the BIP and how members may wish to become involved in the first 'batch' of projects.

### **RESOLVED** that

- (1) Member working groups be set up to run in parallel with the following BIP projects, and the members be as follows:

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

- (a) Culture Trust – Councillors Gifford and De-Lara-Bond
  - (b) Systems Thinking; and
  - (c) Building on Excellence - Future of the Town Hall – Councillors Mrs Blacklock
- (2) the Labour group will finalise their nominations in due course;
- (3) where there is no working group set up, nominated members may act as a ‘watching brief’ in a monitoring role for the projects; and
- (4) it be noted that the Finance and Audit Scrutiny Committee will act as programme assurance for the BIP Programme of work.

### **8. THE NEW SUSTAINABLE COMMUNITY STRATEGY FOR WARWICK DISTRICT AND RE-STRUCTURE OF THE WARWICK PARTNERSHIP**

The Committee considered a report from the Executive agenda on the new Sustainable Community Strategy (SCS) for Warwick District. The development of the SCS had been driven and overseen by the Warwick Partnership Executive Group (WPEG), the multi agency decision making core group of the Warwick Partnership, and the Local Strategic Partnership (LSP) for the District. The document was now in the process of being circulated to key partners for approval and sign up by 15<sup>th</sup> July 09.

The SCS set out the long term vision and priorities for the area, derived from extensive consultation with partners and stakeholders across all sectors. These shared priorities focused on issues and challenges that individual agencies cannot address in isolation because of their cross cutting nature and therefore necessitate a joint approach. It was a document that sought to add value through collaborative working.

The SCS had been developed in conjunction with the Core Strategy and joint consultation exercises had taken place over the last 18 months to ensure, where appropriate, land use priorities were aligned with the needs and wants of the community, integrating social and economic regeneration with physical planning policy.

The Warwick Partnership had, at the same time, undergone a full review across every aspect of operation, the outcome of which is a refreshed and re-vitalised LSP which was fit for purpose in delivering the SCS effectively and efficiently.

**RESOLVED** that

- (1) the report be noted; and

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

- (2) a report be submitted to the Committee in July 2009 detailing how the SCS, LAA and LSP's all fit together.

### **9. RECYCLING AND NEW REFUSE COLLECTION SCHEME**

The Committee considered a report from Members' Services reminding members about the decision which was made on 16 June 2008, with regard to the scrutiny review of the recycling and new refuse collection scheme.

At the Overview and Scrutiny Committee on 16 June 2008, it was agreed that:

“the scrutiny of Waste Management/Recycling be deferred to be scoped in December to allow for the service to settle down and for the completion of the Audit & Resources Scrutiny Committee to undertake their review of the contract with Sita”

The issue was not scoped for submission to the Committee in December 2008, because the Audit and Resources Scrutiny Committee considered their report at the meeting in December and the recommendations were approved by the Executive in February 2009.

The scope of their review was attached at appendix 1 to the report, and the report agreed by the Executive was attached at appendix 2, to the report.

Given the scope and outcomes of the review which had already taken place, the Committee needed to make a decision as to whether or not a further scrutiny of this service would be appropriate, and if so, add it into their work programme for consideration of the scope.

**RESOLVED** that a scrutiny review of the recycling and new refuse collection scheme not be pursued at this time.

### **10. FORWARD PLAN**

The Committee considered a report from Members' Services on the Forward Plan. The current Forward Plan was attached as appendix 1 to the report.

The Forward Plan was published on a monthly basis and sets out the key decisions, and some non-key decisions, to be taken by the Executive.

The Committee considered the Forward Plan and looked at the up-coming Executive decisions. There was some discussion and suggestions made as to items which the members could have an input upon.

The Committee were mindful that any work undertaken would be done so without the need to change the timescales. However, there were not any items within the Forward Plan which the Committee would like to have an input at the moment.

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

**RESOLVED** that

- (1) the report be noted; and
- (2) if possible, the reasons why the reports are late, be detailed in a separate column in the Forward Plan.

(Councillor White left the meeting after this time)

### **11. 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 17 March and 14 April 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 9.00am on the day of the Overview and Scrutiny Committee, Tuesday 17 March 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. The Committee noted that there was not enough information in the appendix actually detailing what the Executive said. The information which was in the report only stated what the Executive decision was. Therefore, members requested that the Executive give a full response to each of the comments made and that this was conveyed to the Leader of the Executive.

The Committee also examined the decisions of the Executive, detailed in appendices 1 & 2 to the report, for possible scrutiny of those decisions. However, the Committee did not wish to scrutinise any Executive decisions at this time.

**RESOLVED** that the report be noted.

### **12. REVIEW OF THE WORK PROGRAMME**

The Committee considered a report from Members' Services on the Committees' work programme for 2008/2009.

At the Committees' meeting on 17 March 2009, it was agreed that in addition to standard items on the agenda, the Committee would receive the following reports in June 2009:



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

- (1) Warwick Business Improvement District (BID)
- (2) Performance targets – Quarter 4
- (3) Local Area Agreements/ Local Strategic Partnership
- (4) Recycling and new refuse collection scheme
- (5) Business Improvement Programme (BIP)
- (6) Disabled Facilities Grants (DFG)
- (7) Portfolio Holder Areas

The reports on DFG's and Local Area Agreement was not able to be submitted in June 2009, and would be submitted to the July meeting of the Committee.

With regard to Maintenance of WDC Trees Task and Finish Group, the first meeting had been scheduled for 21 July 2009.

The Royal Spa Centre Task and Finish Group had now had numerous meetings and an officer working group had also met to supply some information to the Task and Finish Group. Their final report would now be submitted to the Executive in October and not June as originally planned. This was because of the level of detailed work which has been involved in the scrutiny review.

The Expenditure on Tourism Task and Finish Group had met on two occasions and had started interviewing witnesses including Councillors Mobbs and Mrs Blacklock, and would be meeting again at the end of the month to talk to Councillor Gill. In the future, the Group also wished to talk to further witnesses including Councillor Guest and Shakespeare Country's CEO. Their final report would be submitted to Finance and Audit Committee in due course.

At each meeting, the Committee considered their work programme and made amendments where necessary, and also made comments on specific Executive items, where notice has been given by 9am on the day of the Overview and Scrutiny Committee meeting. The Committee also received 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 received performance reports and had previously received the Forward Plan on this basis too. However, to ensure the Forward Plan was used effectively to allow the Committee to become involved in the Executive decisions to be taken, this was now a standard item on each agenda.

For information, at each meeting of the Executive, there would be a report on their agenda detailing the work of the Overview and Scrutiny Committee and the Finance and Audit Scrutiny Committee.

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

**RESOLVED** that

- (1) the report be noted; and
- (2) the reports on DFG's and LAA/LSP's be submitted to Committee in July 2009.

(The meeting ended at 8.40pm)