

Overview & Scrutiny Committee Wednesday 19 April 2023

An additional meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Wednesday 19 April 2023, at 6.00pm and available for the public to watch via the Warwick District Council [YouTube channel](#).

Councillor Milton (Chair)

Councillor A Barton

Councillor P Kohler

Councillor G Cullinan

Councillor V Leigh-Hunt

Councillor A Dearing

Councillor M Noone

Councillor J Dearing

Councillor P Redford

Councillor O Jacques

Councillor S Syson

Councillor C King

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town 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 meeting held on 7 March 2023.

(To follow)

4. **Work Programme, Forward Plan & Comments from Cabinet**

To consider a report from Governance Services.

(Pages 1 to 14)

5. **The role, responsibilities, and performance (2022/23) of the South Warwickshire Community Safety Partnership**

To consider a report from Safer Communities, Leisure and Environment.

(Pages 1 to 11)

6. **Noise Nuisance Investigations (Noise Policy & six-month review and service area performance in respect of all forms of nuisance)**

To consider a report from Safer Communities, Leisure and Environment.

(Pages 1 to 16)

7. **Work Programme Update – Digital Strategy**

To consider a report from Customer and Digital Services

(To follow)

8. **End of Term Report**

To consider a report from Governance Services.

(Pages 1 to 16)

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Overview & Scrutiny Committee
19 April 2022

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 2023/24 (Appendix 1);
- (2) responses that Cabinet gave to comments and recommendations made by Overview & Scrutiny Committee regarding the reports to Cabinet 8 March 2023 (Appendix 2); and
- (3) responses that Cabinet gave to the recommendations from the Equalities Task & Finish Group (Appendix 2).

Recommendations

- (1) That Members consider the work programme (Appendix 1) and agree any changes as appropriate.
 - (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 the Cabinet on the Comments from the Cabinet report (Appendices 2 and confidential Appendix 3).
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1 Background/Information

- 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 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 Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 1.3 The Council's Forward Plan is published on a monthly basis and sets out the key decisions to be taken by the Council in the next twelve months. The Council only has a statutory duty to publish key decisions to be taken in the next four months. However, the Forward Plan was expanded to a twelve-

month period to give a clearer picture of how and when the Council will be making important decisions.

1.4 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.

1.5 The Forward Plan also identifies non-key decisions to be made by the Council in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.

1.6 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.

1.7 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.

1.8 At each meeting, the Committee will consider their work programme and make amendments where necessary, and also make comments on specific Cabinet 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.

- 1.9 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.
- 1.10 As part of the new scrutiny process, the Committee is no longer considering the whole of the Cabinet agenda.
- 1.11 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.
- 1.12 As a result, the Committee considered the items detailed in appendix 2. The response the Cabinet gave on each item is also shown.
- 1.13 In reviewing these responses, the Committee can identify any issues for which they would like a progress report. A future report, for example on how the decision has been implemented, would then be submitted to the Committee at an agreed date which would then be incorporated within the work programme.

2 Conclusion/Reasons for the Recommendation

- 2.1 The work programme should be updated at each meeting to accurately reflect the workload of the Committee.
- 2.2 The proposed plan at Appendix 1 has been developed in order for the Committee to focus on the four agreed core themes (Covid 19, Climate Change, Medium Term Financial Strategy and Business Plan). While this Committee will not have as much focus on the Medium-Term Financial Strategy, it will have to spend significant times looking at the other areas in detail.
- 2.3 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.
- 2.4 If the Committee has an interest in a future decision to be made by the Cabinet, or policy to be implemented, it is within the Committee's remit to feed into this process.
- 2.5 The Forward Plan is actually the future work programme for the Cabinet. If a non-cabinet member highlighted a decision(s) which is to be taken by the Cabinet which they would like to be involved in, that member(s) could then provide useful background to the Committee when the report is submitted to the Cabinet and they are passing comment on it.
- 2.6 Appendix 2, Comments from Cabinet, is produced to create a dialogue between the Cabinet and the Overview and Scrutiny Committee. It ensures that the Overview and Scrutiny Committee is formally made aware of the Cabinet's responses.
- 2.7 Where Overview and Scrutiny Committee has made a recommendation as opposed to a comment, the Cabinet is required to respond to the recommendation(s) made, including whether or not it accepts the recommendation(s).

Meeting Date 19 April 2023

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
O&S End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2024.	Annual report
Digital Strategy Update	O&S November 2021	O&S Members will call in the report to Cabinet if necessary	David Elkington	October 2023	Every six months
Noise Nuisance Investigations: Review of the Policy and the service area's performance in respect of all forms of noise nuisance more generally	9 August 2022	Written report	Lorna Hudson		
Summary of the role, responsibilities and performance of the SWCSP	This is a mandatory report.	Written report	Liz Young / Marianne Rolfe.	March 2024.	This is an annual report.

Briefing Notes to All Councillors – April every year
Not for O&S Agenda, but to be emailed to all WDC Cllrs

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Children's and Adults' Safeguarding Champions: End of Term Report.	Standing Annual Item.	Briefing note	Marianne Rolfe.	April 2024.	This is a briefing note to all Councillors.
Members' Annual Feedback on Outside Appointments / Annual review of membership/participation of Outside Bodies (Includes a short synopsis on Champions)	Standing Annual Items	Briefing note	Andrew Jones	April 2024	This is a briefing note to all Councillors.

Municipal Year 2023/2024**4 July 2023*****(Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Q4 Budget Report from the Cabinet Agenda (Not yet on Forward Plan, so this is the assumed meeting)	O&S will as a matter of routine, always call-in the quarterly Budget reports from the Cabinet agenda	Call in the Cabinet report	Andrew Rollins	Q1 Budget report September 2023	Annually: Q1 – September Q2 – December Q3 – March Q4 – June
Climate Emergency Action Plan update from previous period and giving progress against carbon emissions and what is coming forward. See O&S mins December 2022 for additional requirements.	May 2022 O&S	Written report	Dave Barber	December 2023	Every 6 months
Future High Street Funds update	O&S February 2023	Written report	Martin O’Neill	October 2023	Every 3 months until further notice

20 July 2023

(No Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

8 August 2023*

(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Environmental Enforcement Update subsequent to the report made in March 2023 (following recruitment of the new position reported in March 2023)	March 2022, O&S	Written Report	Zoë Court	TBA	

19 September 2023*

(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Development Management and Enforcement Performance Update subsequent to report made to O&S in March	March 2022 O&S September 2022 O&S	Written Report	HoS Development / Gary Fisher	TBA	

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
2023. This report should focus on enforcement.					

3 October 2023

(No Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Scrutiny of finance, particularly Housing finance – consideration to ensure effective scrutiny and whether the current system needs changing.	At O&S 7 March 2023, it was suggested that the whole subject needed to be re-evaluated – see comment to Cabinet from that meeting.	TBA	TBA		

31 October 2023

(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

**5 December 2023
(Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Heart Shared Service Update since O&S meeting December 2022	O&S December 2022	Written report	Lisa Barker		

**23 January 2024
(No Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Six-month post opening update on the "Relocation of Office Accommodation and the Provision of Public Facing Access to Council Services	O&S February 2023	Written report	Steve Partner		

**6 February 2024
(Cabinet meeting this cycle)**

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes

5 March 2024
(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Annual update from Shakespeare's England, looking back over the previous year's activity and forward to next year.	March 2023	Written report	Martin O'Neill and Councillor Bartlett	March 2025.	This is an annual report.
Summary of the role, responsibilities and performance of the SWCSP	This is a mandatory report.	Written report	Liz Young / Marianne Rolfe.	March 2025.	This is an annual report.

9 April 2024
(Cabinet meeting this cycle)

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
O&S End of Term report.	Standing Annual Item.	Written report.	Committee Services Officer.	April 2025.	Annual report

Meeting Date: To Be Advised

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
Decide if an update is required on the Catering and Events Concessions Contract – Royal Pump Rooms and Jephson Gardens Glasshouse.	Committee meeting 26 September 2019. (8 November 2022 – an email was sent to David Guilding and Philip Clarke asking for the status.)	Informal update.	Dave Guilding / Philip Clarke.	TBA	
Update - plans to improve accessibility to, and the condition / cleanliness of, toilets for people living with disabilities.	Committee meeting 26 September 2019 and briefing note 8 December 2020.	Written report	Zoë Court	To be advised if applicable.	No officer will attend the Committee meeting unless there is a request.
Minimum Energy Efficiency Standards Enforcement Process – Private Sector Housing	O&S August 2020 (31 October 2022 – Cllr Cullinan sent an email to Lisa Barker asking for a date for the report and the response was sometime spring 2023.)	Written Report	Lisa Barker		A review was requested once the scheme had been in operation for 12 months. Covid affected the process.
Park Exercise Permits – annual review of the scheme	August 2020 (Update November 2022 on status - Ann Hill has advised	Written report	Ann Hill		

Appendix 1 – Overview & Scrutiny Committee Work Programme

Title	Where did item originate from	Format	Lead Officer / Councillor	Next report date if applicable	Completion Date / Notes
	<p>that the current permit scheme is not working and work needs to be undertaken to find out why that was, be it the rules of the scheme, the eligibility or enforcement. After speaking with Marianne Rolfe, she and Marianne decided to approach the relevant PAB when a revised scheme has been formalised.)</p>				

**Response from the meeting of Cabinet on the O&S Committee's Comments
and the Equalities Task & Finish Group – 8 March 2023**

Item 4 – Treasury Management Strategy 2023/24

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their work on the report. The Committee supported the changes to the wording relating to the UK Risk Rating*. The Committee noted that further consideration should be given to Environmental Social and Governance (ESG) criteria and other countries for investments in the next Council.

Cabinet Response:

The recommendations in the report were approved.

Item 7 – Equalities Task & Finish Group

The Task & Finish Group presented its recommendations in a report to Overview & Scrutiny Committee on 7 February 2023. These then went to Cabinet for consideration at its meeting 8 March 2023.

Cabinet Response:

The recommendations in the report were approved.

Item 11 – Housing Revenue Account Business Plan Review 2023

Scrutiny Comment:

The Overview & Scrutiny Committee noted that this had been an important and substantial amount of work and thanked officers.

The Committee asked that the new Council should consider how finance, particularly Housing finance, should be scrutinised to be effective.

How finance should be scrutinised would be added to the Committee's Work Programme for consideration by the next Overview & Scrutiny Committee.

Cabinet Response:

The recommendations in the report were approved.

Item 12 – Barford Youth and Community Centre Grant Application

Scrutiny Comment:

The Overview & Scrutiny Committee supported the grant and welcomed the installation of photovoltaic cells at an earlier stage of the project.

Back in October 2022, when the Council was considering biodiversity, the Motion that was agreed contained the sentence "biodiversity net gain should be maximised in all developments that WDC has a financial interest in".

The Committee therefore recommended to Cabinet that officers be asked to determine an appropriate phrase for a condition to be attached to the grant application that ensures that the requirement for biodiversity net gain to be maximised is part of the grant condition.

Cabinet Response:

The recommendations in the report were approved, along with the following recommendation:

“that the Programme Director for Climate Change agrees an appropriate condition to be included in the grant agreement that requires the project to deliver climate change and biodiversity measures, which support the Council's agreed plans and ambitions for the District”.

Item 13 – Local Government Association Corporate Peer Challenge

Scrutiny Comment:

The Overview & Scrutiny Committee recommended to Cabinet that the Chairs of Scrutiny are included in the review process of the first draft of the report.

Cabinet Response:

The recommendations in the report were approved, along with the following recommendation from the Overview & Scrutiny Committee:

“that the Chairs of Scrutiny are included in the review process of the first draft of the report”.

Item 19 – Contract Dispute – Dictate2Us Transcription Services

Scrutiny Comment:

The Overview & Scrutiny Committee thanked officers for their work on the report and recognised that the issues had been taken seriously.

The Overview & Scrutiny Committee recommended to Cabinet that a learning and action plan should be developed and formalised and brought before Scrutiny for consideration to ensure that the likelihood of this situation re-occurring is reduced.

Cabinet Response:

The recommendations in the report were approved, along with the following recommendation from the Overview & Scrutiny Committee:

“that a learning and action plan should be developed and formalised and brought before Scrutiny for consideration to ensure that the likelihood of this situation re-occurring is reduced”.

Title: The role, responsibilities, and performance (2022/23) of the South Warwickshire Community Safety Partnership
 Lead Officer: Liz Young, Community Safety Manager
 Portfolio Holder: Councillor Judith Falp
 Wards of the District directly affected: All

Approvals required	Date	Name
Portfolio Holder	29/03/23	Judith Falp
Finance	NA	-----
Legal Services	NA	-----
Chief Executive	29/03/23	Chris Elliott/Andrew Jones/Dave Barber
Head of Service(s)	29/03/23	Marianne Rolfe
Section 151 Officer	NA	-----
Monitoring Officer		Andrew Jones
Leadership Co-ordination Group	NA	-----
Final decision by this Committee or rec to another Cttee / Council?	No (Information only report)	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

This report sets out the roles and responsibilities of the South Warwickshire Community Safety Partnership (SWCSP) and details performance against priorities for 2022/23. The CSP is the statutory body for reducing crime, disorder, substance misuse and reoffending in South Warwickshire.

Recommendation

For Members to note the details of the report.

1 Reasons for the Recommendation

1.1 Local Authorities have a legal duty to undertake scrutiny of crime and disorder at least every 12 months in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009. WDC has taken the view that by scrutinising the effectiveness and performance of the South Warwickshire Community Safety Partnership (SWCSP), it is fulfilling its legal duty.

1.2 Role of the SWCSP

1.2.1 Crime & Disorder Reduction Partnerships were created as part of the Crime & Disorder Act (1998). They are the responsible bodies for reducing crime, disorder, substance misuse and reoffending.

1.2.2 The two Crime & Disorder Reduction Partnerships for Stratford & Warwick Districts were formally merged in September 2008 becoming the South Warwickshire Community Safety Partnership (SWCSP) or Safer South Warwickshire.

1.3 The Statutory Duties of the SWCSP are:

- To have a District level Community Safety Partnership (CSP) made up of 'Responsible Authorities' for the area, which are the District Council, County Council, Police, Fire, Probation, and the Clinical Commissioning Group
- To undertake a crime audit 'Strategic Assessment'
- To formulate and implement strategies to tackle crime and disorder, the misuse of drugs and reducing reoffending in the area
- To share information with 'relevant authorities' for the purposes of preventing and reducing crime and disorder
- To conduct Domestic Homicide Reviews

1.4 The Responsible Authorities for South Warwickshire are:

- Coventry and Warwickshire Integrated Care Board
- Stratford-upon-Avon District Council
- Warwick District Council
- Warwickshire County Council
- Warwickshire Fire & Rescue Authority
- Warwickshire Police
- Warwickshire Probation

1.5 Governance

- 1.5.1 The SWCSP has a strategic Board and an operational group, South Warwickshire Operational group (SWOP), at the tactical/delivery level.
- 1.5.2 The SWCSP Board meets to fulfil its statutory duties 3 times a year, with additional extraordinary meetings as required.
- May – Review annual performance against priorities and approve strategic action plans
 - November – Review 6 monthly performance against priorities
 - January – Receive the Strategic Assessment or Executive Summary of emerging trends and agree priorities for the next 4 years.
 - Extraordinary meetings are convened for Domestic Homicide Reviews.
- 1.5.3 The SWCSP Board is responsible for receiving the Strategic Assessment, setting priorities, approving the strategic 'Partnership Plan', monitoring performance, holding partners to account, and commissioning Domestic Homicide Reviews and monitoring implementation of improvement plans.
- 1.5.4 The current membership of the SWCSP Strategic Member Board is:

Cllr Chris Kettle (Chair) – Stratford District Council
Cllr Jacqui Harris – Stratford District Council
Cllr Judy Falp – Warwick District Council
Cllr Ian Davison – Warwick District Council
Cllr Andy Crump – Warwickshire County Council (Fire & Rescue)
CI Faz Chishty – Warwickshire Police
Jackie Channell – NHS Integrated Care Board
Emma Dade – Warwickshire Probation Service

Also invited is the Police & Crime Commissioner and/or his representative.

The meeting is supported by officers from the responsible authorities.

1.6 The South Warwickshire Operational group (SWOP) meets quarterly:

- January
 - April
 - July
 - October
- 1.6.1 SWOP is responsible for receiving approved priorities from the SWCSP Board, developing Action Plans to address the approved priorities, commissioning quarterly analysis of recorded crime, receiving detailed trend analysis and hotspots in relation to the strategic priorities, receiving quarterly reports on progress towards priorities, and evaluating the effectiveness of partnership action plans and report progress and performance to the CSP Board

1.6.2 SWOP is made up of senior officers from the Responsible Authorities and Registered Social Landlords (RSLs), collectively these are the Relevant Authorities for information sharing.

1.7 The Safer Warwickshire Partnership Board (SWPB) sets out how the police, local authorities, fire and rescue, probation services, health and third sector partners will work together at the county level to address crime and disorder in their communities.

1.8 SWCSP - Supporting work at a county level

1.8.1 The SWCSP also supports the following areas of work that are co-ordinated at a countywide level to address both local and national concerns.

- Reducing reoffending
- Violence against women and girls incl. domestic homicide reviews
- Counter Terrorism incl. Prevent
- Hate Crime
- Cyber Crime
- Serious and Organised crime & exploitation incl. county lines, modern slavery and human trafficking, child sexual exploitation
- Business Crime
- Substance misuse
- Support for victims and survivors of crime

1.9 SWCSP Priorities 2021 – 2025

1.9.1 The CSP must produce or procure a Strategic Assessment to inform its priorities and to update the Community Safety Partnership Plan which sets out what the CSP is doing to address these priorities. Following a comprehensive review of the Strategic Assessment process in Warwickshire during 2020 it was agreed that a full document will be produced for each CSP on a 3 yearly basis with a 'refresh' document in the interim years. (The 2021/22 'refresh' document was appended to last year's CSP Performance Report presented to this committee on 8 March 2022).

1.9.2 MoRiLE (Management of Risk in Law Enforcement) Thematic Guidance specifically for CSPs was introduced in 2020 to assist CSPs with the setting of priorities, strategic planning, and allocation of resources. This guidance has been used as part of the 2021-25 Strategic Assessment process to assess the level of risk for South Warwickshire community safety themes and inform the setting of the current priorities which are detailed as:

Violent Crime	Focus on domestic abuse and the night time economy
Serious Acquisitive Crime	Responding to volume crime and disorder emerging post Covid-19 including personal robbery in Stratford-on-Avon District
Acquisitive Crime in Rural Areas	Including 'Rural Crime and Wildlife Strategy' definition

County Lines	Focus on knife crime, links to violence and substance misuse
Personal ASB	Focus on non-Covid-19 related incidents in Stratford-on-Avon District
Cyber fraud	Focus on raising awareness and crime prevention
Hate crime	Focus on racism and homophobic related offences and incidents
Cross cutting themes	Reducing re-offending; drugs and alcohol

1.9.3 As per the agreed 4-year Warwickshire CSP Strategic Assessment cycle, MoRiLE Scoring sessions have recently been held again to re-score the community safety themes based on current trends and forecasts as part of the 2022/23 'refresh' of the Strategic Assessment. See Table 1 (South Warwickshire CSP Thematic Risk Banding 2022) and Table 2 (MoRiLE Risk Gradings Table) below.

Table 1

South Warwickshire MoRiLE Thematic Area and Risk Score 2022	Banding comments
Serious Violence	Highest risk score and Catastrophic risk gradings for victim; Highest risk to the organisation
County Lines	Highest risk score and Catastrophic risk gradings for victim; Highest risk to the organisation
Domestic Abuse	High risk scores to victim and organisation; Critical risk gradings
Substance Misuse	High risk scores to victim, moderate to organisation; Critical risk gradings
Rape and Sexual Offences	High risk scores to victim and organisation; Critical risk gradings
Exploitation	High risk scores to victim and organisation; Critical risk gradings
Road Traffic Collisions – Killed and Seriously Injured	Medium risk score to victim, low risk to organisation; critical gradings
Harmful Practices (FGM, HBV, FM)	Medium risk score to victim and organisation; one critical grading
Cyber Fraud	Medium risk score to victim, high risk score to organisation; no critical gradings
Personal Robbery	Medium risk score to victim, medium risk to organisation; no critical gradings
Residential Burglary (Dwelling)	Medium risk score to victim, low risk to organisation; no critical gradings
ASB - Personal	Low risk score to victim, high risk to organisation; no critical gradings
Environmental	Low risk score to victim, medium risk to organisation; no critical gradings

Hate Crime	Low risk score to victim, medium risk to organisation; no critical gradings
DSFs	Low risk score to victim, low risk to organisation; no critical gradings
Vehicle Crime	Low risk score to victim, low risk to organisation; no critical gradings
Business Crime (including shoplifting)	Low risk score to victim, low risk to organisation; no critical gradings
Nuisance	Low risk score to victim, low risk to organisation; no critical gradings

Table 2

CSP Thematic Guidance for MoRiLE, Risk Gradings Table (*adopted from Devon and Cornwall CSPs, 2020*)

High	There is an expectation that the High Level Threats will be prioritised by community safety partnerships and all partners, with an explicit response prioritised through local Partnership Plans and reflected appropriately in other strategies and plans.
Moderate	It is important that community safety partnerships continue to be proactive in managing Moderate Level Threats; working together to manage the risks, address identified problems and prevent new problems developing. As part of the development of local Partnership Plans, community safety partnerships may also wish to review these issues where elements of the response are considered to impede effective management.
Standard	Standard Level Threats are areas that are being managed as 'business as usual' and/or not placing much additional demand on services. Community safety partnerships should monitor these issues to ensure that we continue to manage them well.

1.9.4 This process has identified two emerging risk areas of note to the South Warwickshire CSP – Rape and other Sexual Offences, and Exploitation in Warwick District. Detailed analysis has been undertaken and was presented to the SWCSP Board on 9 March 2023 for consideration of whether to adopt these emerging risk areas as new priorities for the remainder of the Strategic Assessment period. The board agreed with the strategic analytical

recommendations and 'Rape and Other Sexual Offences' has been adopted as a new priority for South Warwickshire CSP. 'Exploitation in Warwick District' is added as a specific focus area under the existing 'County Lines' priority.

1.9.5 Appendix 1 provides an overview of the full MoRiLE analysis document. This also shows a summary of the trends between April 2022 and December 2022 and highlights the level of risk to Warwick District within that.

1.10 Performance Monitoring and Review

1.10.1 The SWCSP action plans (developed by SWOP to address the agreed priorities) and performance dashboard are monitored through the quarterly SWOP meetings and reported twice yearly to the SWCSP Board along with the Domestic Homicide action plan monitoring.

1.10.2 The current action plans are undergoing review following the mid-term Strategic Assessment 'refresh'. The review will take account of:

- Emerging priorities
- Ensuring plans continue to be cognisant of county-wide strategies at a local level e.g., Violence Against Women and Girls (VAWG), Drugs & Alcohol, Reducing Reoffending etc.
- The requirement to meet the new Serious Violence Duty

1.10.3 Task and finish groups have been set up to review and develop the action plans for each priority area which will be brought back to the CSP Board in June for approval.

1.11 Resources

1.11.1 The SWCSP has no independent resources. Each of the Responsible Authorities contribute to the CSP through their staff and services and by working collaboratively in accessing external funding opportunities e.g., Safer Streets.

1.11.2 The Warwickshire Police and Crime Commissioner (PCC) has an annual grant scheme to which CSPs can bid to deliver their priorities where they also support the Police and Crime Plan.

1.12 OPCC Funded Projects 2022/23

1.12.1 In 2022/23 the SWCSP was successful in their bid to the OPCC and awarded £60,194. The table (Fig 1) shows how this grant has been spent.

Figure 1: Breakdown of OPCC Funding Allocation 2022/23

SWCSP Grant Bid 2022-23	Stratford	Warwick	SW TOTAL
Serious Violence (Mentoring Programme via WCC)	£3,000	£3,000	£6,000
County Lines Diversion (Youth & Adult)	£10,494	£8,000	£18,494

Bespoke adult interventions (Stratford)	£4,494		
Music intervention (Warwick)		£8,000	
Music intervention (Stratford)	£5,000		
Sports equipment (Stratford)	£1,000		
County Lines Interventions (Locational & Awareness)	£5,650	£2,000	£7,650
SDC - Vulnerable Tenants Security Initiative	£1,000		
CCTV and Locational Interventions	£2,250		
Crimestoppers & County Lines Awareness Raising	£2,400		
WDC - Vulnerable Tenants Security Initiative		£2,000	
Street Community Initiative (Stratford)	£4,500		£4,500
Body Cameras and ancillary equipment	2,500		
Awareness Raising Signage/target hardening	1,250		
Additional Town Host Staffing (up to additional 10 shifts)	750		
Going Out Staying Safe (GOSS)		£2,000	£2,000
Personal Safety/ anti spiking resources		1700	
Printing/Advertising		100	
Stall Hire		200	
Street Marshals (Leamington)		£5,000	£5,000
CCTV Double Crewing (Stratford)	£5,400		£5,400
CCTV Double Crewing (Warwick)		£11,150	£11,150
TOTAL	£29,044	£31,150	£60,194

1.12.2 These projects, campaigns and initiatives are included within the CSP Action Plans which deliver on the following priorities:

- Violent Crime – focus on domestic abuse and night-time economy
- County Lines – focus on knife crime, links to violence and substance misuse
- Personal ASB
- Drugs and Alcohol

1.12.3 **Target hardening measures** have been carried out to protect people who are vulnerable to, and have been impacted by, cuckooing and/or county lines activity.

- Ring Go doorbells distributed to individuals identified through county lines vulnerability groups – 11 installed in WD and 10 in SD
- Promotes feelings of safety and a sense of control over access

1.12.4 **Diversion and Prevention Initiatives** for young people at risk of involvement in county lines:

- **Music production** for 12-18 years facilitated by LAMP music in Leamington
- Referral process in place which considers risk and protective factors on a case by case basis
- 14 referrals to date across South Warwickshire
- Positive changes in behaviour reported by parents/guardians and improved school attendance/engagement
- **Non-contact Boxing** sessions for 10-16 years facilitated by Lillington Boxing Gym coaches – blend of outdoor and community hub sessions
- 167 young people have attended since established in 2021 – several gone on to join established gyms
- Targeted youth support and local SNT officers have regularly attended to engage with the young people

1.12.5 The OPCC funding also continues to support Leamington's night-time economy initiatives under the banner of Going Out Staying Safe (GOSS):

- **Additional Street Marshal cover** for busy nights/events.
- Marshals offer a visible presence in our Town Centres and Green Spaces offering support to members of the public who are often vulnerable.
- Enabling our British Standard **CCTV control room to be double crewed** for busy nights/events.
- Our CCTV team continue to act proactively in order to detect and prevent crime & disorder, assisting police and other partners with **751 Major incidents** in 22/23 to date.
- **Drink Spiking** continues to be an area of concern raised by many who enjoy Leamington's NTE, especially our student community. OPCC funding has enabled 15,000 anti-spiking drinks lids to be purchased and distributed to licenced premises through our established Pub Watch scheme. Venues continue to be supportive of the resources and actively promote within their respective premises
- In addition, a spiking awareness training package was circulated to all licenced premises via the DISC App.

1.12.6 Other Funding Sources supporting delivery of CSP Priorities

1.12.7 Successful bids to Safer Streets Round 4 last year has brought in over £100,000 to fund the following in Warwick and Stratford Districts.

- **Eagle Recreation ground, Leamington Spa:** The area is a key migration route to/from the town centre, with multiple access points and significant student accommodation. In the past 18 months the area has experienced serious violence incidents attributed to gangs and county line exploitation. Drug users/dealers frequent the park due to poor surveillance and residents are fearful to use the park at night. The SS4

grant is funding installation of CCTV monitored cameras, additional/ improved lighting, removal of foliage/ low walls improving natural surveillance and development of wasteland into a community wildlife area.

- **Recreation ground, Stratford:** The recreation ground attracts many tourists and large congregations of young people.
- **Railway Station, Stratford:** This area is the main transport hub for visitors to Stratford and access to the recreation ground. The route is also used by offenders to target the area for county lines exploitation. Both of these areas have poor CCTV coverage. Interventions to address the offending in both locations include the installation of CCTV cameras to deter activity and detect offences.

1.12.8 A bid by the WDC Community Safety Team to the Council's **UK Shared Prosperity Fund** pot has resulted in over £750,000 of investment in community safety interventions in Warwick District over the next two years:

- Expansion of the CCTV camera network – an additional 11 cameras in key hotspot locations
- Lighting schemes in Mason Avenue Park and Victoria Park
- Expansion of the emergency contact points in the towns
- Sustainability of existing, and development of new, diversionary, and preventative projects for vulnerable young people at risk of county lines
- Increased capacity of our award-winning CCTV Team
- Upgrade of the CCTV Server

2 Alternative Options

2.1 It is a statutory duty to have a Community Safety Partnership and Warwick District Council, as a responsible authority under the terms of the Crime and Disorder Act (1998), is required to serve on that partnership.

3 Legal Implications

3.1 Local Authorities have a legal duty to undertake scrutiny of crime and disorder at least every 12 months in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

4 Financial

4.1 There are no costs associated with this report.

4.1.1 The SWCSP does not have its own budget. The work of the SWCSP is funded through the core budgets of partners, via an annual bid to the Office of the Police and Crime Commissioner and external government funding opportunities.

5 Business Strategy

5.1 This report is not a part of a decision but the subject matter impacts on several Business Strategy areas as follows:

5.2 Health, Homes, Communities

- Improved health for all
- Cohesive and active communities

5.3 Green, Clean, Safe

- Area has well looked after public spaces

- All communities have access to decent open space
- Low levels of crime and ASB

5.4 Infrastructure, Enterprise, Employment

- Vibrant town centres

5.5 Effective Staff

- All staff are properly trained
- All staff have the appropriate tools
- All staff are engaged, empowered, and supported
- The right people are in the right job with the right skills and right behaviours

5.6 Maintain or Improve Services

- Focusing on our customer's needs
- Continuously improve our processes
- Increase the digital provision of services

6 Environmental/Climate Change Implications

6.1 Not applicable

7 Analysis of the effects on Equality

7.1 A review on equality is due to be carried out following the recent mid-term review of the Strategic Assessment 2021 – 2025.

8 Data Protection

8.1 There are no data protection implications.

9 Health and Wellbeing

9.1 Tackling crime and disorder impacts significantly on the quality of life of residents, businesses, and visitors. The SWCSP aims to reduce levels of crime and anti-social behaviour. The level of crime and disorder is cited as the top consideration when deciding where to live.

10 Risk Assessment

10.1 No risks associated with this report

Background papers:

Overview & Scrutiny Committee Report – held on 08 March 2022 at the Town Hall, at 6.00 pm

Supporting documents:

[South Warwickshire CSP Strategic Assessment Priorities Analytical Overview - Feb 2023.pdf](#)

[OFFICIAL - Confirmed Priorities - South Warwickshire CSP Strategic Assessment 2021-22 Mid 4 Year Cycle Updated 2023 Version.pdf](#)

Title: Noise Nuisance Investigations (Noise Policy & Six-month review and service area performance in respect of all forms of nuisance)

Lead Officer: Lorna Hudson (Lorna.hudson@warwickdc.gov.uk)

Portfolio Holder: Councillor Judith Falp

Wards of the District directly affected: All

Approvals required	Date	Name
Portfolio Holder	24/03/23	Judith Falp
Finance	NA	-----
Legal Services	NA	-----
Chief Executive	31/03/23	Chris Elliott/Andrew Jones/Dave Barber
Head of Service(s)	27/03/23	Marianne Rolfe
Section 151 Officer	NA	-----
Monitoring Officer	28/03/23	Andrew Jones
Leadership Co-ordination Group	NA	-----
Final decision by this Committee or rec to another Cttee / Council?	No (Information only report)	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

The purpose of this report is to update members on how the Noise Policy has been taken and provide insight to further developments, as requested by Overview & Scrutiny Committee on 9th August. This report aims to;

- a) Provided an overview of all forms of "Statutory Nuisance" investigated by the team.
- b) Provide members with an update on developments and give an overview of feedback about the Noise Policy, received to date.
- c) Reflect on the implementation of the Noise Policy and service area performance over the past 6 months.
- d) Describe the working arrangements, with the police.

Recommendation(s)

- (1) That the details in this report are noted
-

1 Reasons for the Recommendation

1.1 On 9th August, Overview & Scrutiny (O&S) Committee considered and supported (followed by Cabinet approval on 10th August) the implementation of a new Noise Policy. A request was made to Officers to review the implementation of the policy and service area's performance in respect of all forms of nuisance more generally. The rationale for the request was due to the importance of the subject area to residents of the district.

1.2 Members also stated that they would welcome the Council collaborating more closely with the Police, to secure their support in addressing the issue of noise nuisance in the district. An overview of how Environmental Health, Licensing, ASB Team and Housing work alongside the police is included in this report.

1.3 Statutory Nuisance investigated by the Council

The Council must investigate complaints about issues that could be considered as a Statutory Nuisance (SN). As well as noise, other problems that may be a SN are defined under Section 79 of the Environmental Protection Act 1990 (the Act) and include matters such as:

- Smoke
- Fumes or gases (from industry or trade)
- Dust, smell (from industry or trade)
- Accumulations or deposits
- Artificial light
- Insects (from industry or trade)

1.4 Where a complaint of a relevant SN is received, there is a legal duty to take such steps as are "reasonably practicable", to investigate the complaint. The Council has no duty to take legal action unless it is satisfied that a nuisance exists. Whilst every effort is made to investigate a nuisance, there are occasions when Officers do not witness the problem or are unable to gather enough evidence to demonstrate that it exists - for example, if the noise is irregular.

- 1.5 To be determined as a SN, there must be evidence that it is either “prejudicial to health or a nuisance”, both limbs have received significant scrutiny in the Courts. The crucial requirement for taking enforcement action, is having robust evidence that can stand up to scrutiny and that there is a risk to health or there’s a substantial interference with the use and enjoyment of land. Without demonstrable evidence to prove either limb, the Council is unable to pursue with formal legal action. The nuisance must be more than an occasional annoyance to trigger SN action.
- 1.6 As part of the Council’s enforcement procedures, Officers initially engage and attempt to resolve matters informally (for example by mediation, negotiation and offering general support and advice to all concerned, throughout the investigation, and should the need arise for some time after). This informal approach, needs to be balanced against other demands, clearly keeping informal cases open indefinitely is not a good use of Council resources. Please refer to the Noise Policy for more advice on this aspect.
- 1.7 All local authorities in the UK follow a similar approach, as they must abide by the Enforcement Concordat, which was introduced by the government in 1998. The baseline is, that regulators must take a justifiable, proportionate, and fair approach in intervention and enforcement (this approach is also enshrined in general human rights legislation).
- 1.8 Before any action can be taken in the Courts for a SN, the Council must first issue an “Abatement Notice” on the person responsible. The Notice is a final written warning, formally instructing the person responsible to take steps to bring the problem to an end. There is a right of appeal to such a Notice, which is why having robust evidence is vital.
- 1.9 Where a Notice is deemed to have been contravened (the nuisance has not been abated), the Council can only then consider taking the matter to Court and again, must have fresh evidence that proves this is the case.
- 1.10 There is another option for a complaint to be taken direct to the Courts, but this can only be done by the person affected (Section 82 of the Act). This option is open at any time to somebody aggrieved by what they considered to be a SN and is a process that is signposted in situations where the Council is unable to take legal action, for whatever reason.

This route does not rely on the serving of an Abatement Notice or Council involvement, and is meant to be a simpler legal process, under the direct control of the person affected and can be undertaken with or without the assistance of lawyers. Section 82 allows a magistrate to ultimately consider if there needs to be an Order made against the person responsible or if they should be convicted.

- 1.11 For a more detailed overview of the legislation please refer to the O&S Report, considered on 9th August/10 August and the Noise Policy (on-line).
- 1.12 **Update on developments and feedback about the Noise Policy, received to date**
Table 1 – Comments received between 9 August 2022 to 16 March 2023, please refer to Appendix 1

- 1.13 A general Officer meeting was held on 12 January 2023, with the aim of reviewing the first few months and discuss what has worked well, what not so well and prioritise and plan for future development of the Noise Policy.
- 1.14 Due to the individual and diverse nature of the comments, it was agreed at the meeting in January, for optimum focus that three officer working groups should be set up and all to feed into the future development of the Noise Policy and associated working processes.

1. Environmental Health, ASB & Private Sector Housing – Noise & Nuisance Review Group, to cover HMOs and students (link meeting to be undertaken with other agencies and partners – for example the University of Warwick).

- a. Officer meeting took place on 15th February. Discussions regarding the working practices for Private Sector Housing and Environmental Protection, the focus was primarily on case management and the development of a Memorandum of Understanding (MOU) between teams.

A series of reviews are currently underway (for example cross referencing with planning permissions). This group will also feed developments and updates residents groups, such as SoLAR. The aim is to have a draft MOU ready for approval by the two relevant Head of Service, by early summer.

- b. Two meetings have been held, one on 20th January and another 14th February, with the University of Warwick. These meetings have included topics wider than noise, however the handling of cases and complaints between organisations has also been a key feature and will be the focus of future meetings.

2. Council Landlord Operations Noise & Nuisance Review Group, TOR to be agreed but will cover operational processes in house.

- a. A considerable amount of work was undertaken across departments in the development of the Noise Policy and MOUs were drawn up and agreed and are already included within the Policy. Desktop reviews are underway. However, progression has been delayed due to pressures on the Housing Team arising from Fire Safety work. Once this vitally important workstream is no longer pulling on resource, this Officer working group will pick up traction again.

3. General Officer working Noise & Nuisance Group, first meeting took place held on 12 January 2023 and direction agreed as stated above.

- a. This group is scheduled to meet again early Autumn. This is to allow a full 12 months of data and will include a full review of recommendations for policy updates, received up to that point.

1.15 The Noise Policy – 6 months on

- 1.16 One of the main driving forces behind the introduction of the Noise Policy and the digital review, was to analyse how customers interact with us, review the noise investigation process (which had remained unchanged for years and been developed predominantly in an unscripted manner). We also wanted to modernise and improve on consistency of the investigative approach, review

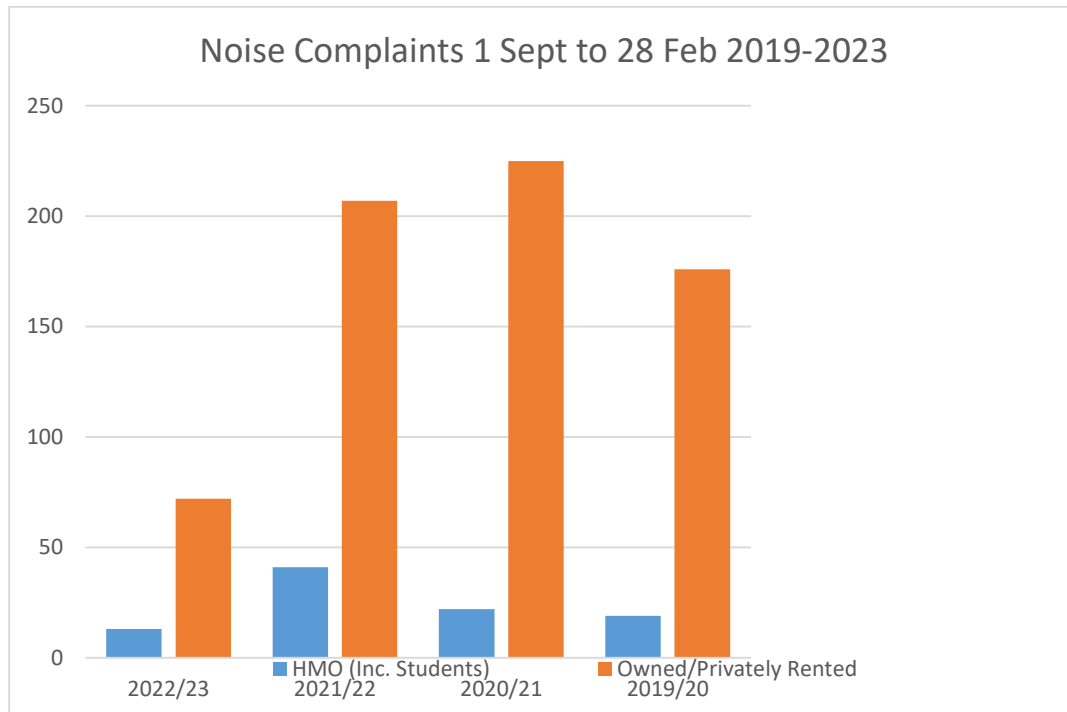
operational procedures, especially considering lessons learned and trials put in place during the pandemic (for example the introduction of the NoiseApp) and increase the use of technology in general to enhance the overall customer experience, (whilst not forgetting about our customers that don't or can't use technology), and increase overall understanding of what can be done by who, how and why we request the help we do, from those affected.

- 1.17 SN can be a very complicated and sometimes technical subject area, with its foundations firmly rooted in legal process and case law. The policy is not legally binding, and important to understand, it isn't meant to cover every possible scenario as there are possibly hundreds if not thousands of different sources of noise but is pitched to try and address those situations that are the most common. There will also always be exceptions and grey areas, which is why each complaint must be assessed on its own merits and on a case-by-case basis.
- 1.18 The Council now has a document, accessible by all service users, members, and Officers alike. It's a point of reference and provides guidance on the operational processes, it covers the levels of required customer engagement and what can be expected in terms of service delivery.
- 1.19 At the time of writing, the Noise Policy has been in place for 6 full months (September-February). The Systems Support team have analysed the Environmental Health Database to provide members with an overview of service demand and have highlighted in the following tables the trend of complaints and complaint types over the past year and then drilled down to look at the last six months when compared to previous years.
- 1.20 Please note some previous years comparisons are likely to have been influenced by the pandemic. Therefore, the following data is to be used as a snapshot only.
- 1.21 Table 2 – Total SN type complaints received from September 2022 to February 2023**



1.22 Over the past six months, the team received 353 requests for service on SN related matters. The most common type of SN request was related to noise, 185 cases raised. This equates to over half of all reported nuisance complaints. The team also deal with many other matters, for example pollution issues and integrated pollution prevention regimes, formal consultations (planning, licensing & HS2), drainage complaints, private water supplies, and air quality matters, to name some.

1.23 Table 2 Domestic Noise Complaints investigated by Environmental Health (EH) from 1st September to 28th February (22/23 (term of the Noise Policy), 21/22, 20/21, 19/20



1.24 The data establishes there has been a significant drop in the overall domestic related complaints received by EH, compared to the same timeframe over previous years.

1.25 Contributing factors.

- a) Prior to 22/23, the EH team received direct, noise complaints about Council tenanted properties. Investigations proceeded in tandem (with Housing Officers). This process regularly resulted in confusion, frustration, and more complaints about process, from our housing tenants. Council Officers were also duplicating similar evidence gathering techniques. In practise, both teams were doing almost the same work and tenants were having to supply two teams with the same information but on two lots of forms.

Under the revised process, noise complaints about housing tenants are initially investigated by the Housing Team, if a Housing Officer considers the matter may reach a SN trigger, they are then able to refer the case to EH for assessment. This initial assessment being a review with the Housing Officer of any evidence gathered by them up to that point, and rather than requesting the tenant to contact EH and them having to start again from scratch with any evidence gathering, EH advise the Housing Officer, and if

the evidence supports the need for further investigation (or intervention) by EH for a SN, the team then engage with both the tenant and the Housing Officer thereafter and from that stage.

- b) An additional reduction in figures was expected, when compared with the old process. Under the old process approximately 2/3^{rds} of complainants did not reply to the Council after first contact and after the initial requests for signed paper-based declarations. Customers knowing upfront what is required, means rather than Officers spending hours on wasted letter writing, the team can now prioritise its resources towards the more pressing cases.
- c) Whilst overall complaints to EH about students/HMOs have dropped. There was a peak in 2021/22. Officers believe this peak was likely to be attributed to the lifting of covid restrictions and consequential, "high spirits" of being back on campus. Linked with this is potentially a drop in the tolerance levels of those impacted. Having had months of low noise levels during lockdown, the reverting back to "business as usual" may have also contributed to more complaints than normal. This potential phenomenon has been experienced and reported by other Councils and referred to at relevant partnership meetings. A similar peak is also reflected in the figures supplied by the Private Sector Housing team, and complaints and/or enquires in relation to HMOs and students, responded to by the Student Housing Enforcement Officer (the figures below are full calendar years).

2018 – 62
 2019 – 76
 2020 – 33
 2021 – 95
 2022 – 173

There is also a greater awareness of the WDC dedicated Student Housing Enforcement Officer, from a public perspective. Resident groups in particular have consequently increased their use of this resource more over time.

1.26 Table 3 Average number of days taken to investigate a noise nuisance complaint (Extrapolated from KPI SCLE7)

Average number of days taken to investigate (complete) a noise nuisance complaint (Sept to Feb)				
Month	2019/20	2020/21	2021/2022	2022-28.02.23
September	40	51	79	73
October	43	61	48	66
November	53	53	52	57
December	55	48	58	20
January	46	73	71	41
February	44	64	59	68

- 1.27 The target for investigation completion is currently set at 73 days, this figure is the combined average of days that it took to investigate a noise complaint in the previous years before the setting of this KPI. How this KPI is reported is due

to be reviewed for 23/24, for example by use of a Box Plot to show a visual representation of the median and quartiles of the data set.

1.28 At the heart of good policy is the promotion of effective relationships between the Council and its service users. This policy has helped to encourage greater understanding of the process and basic considerations. It has removed some time wasted procedures and modernised how we interact with our customers. This has helped to develop understanding and respect on all sides, with members of the public and with our partners. Whilst the first six months and the data are very encouraging, we will continue to review and develop our processes and look for ways of building on these achievements to make the overall service even better in the future.

1.29 Google Analytics

1.30 The website, before the review was crammed full of words, finding the most relevant information to help with your situation was hard to find or understand. Feedback from our test users was also very negative.

1.31 The revised website is much more user friendly, visually more appealing and is much clearer, with links for further advice and/or resources (for example template letters to send to noisy neighbours, if required). The reporting form also now leads customers down a decision path, depending on the individual issues they are facing, this aims to advise them further with advice and signposting.

1.32 Table 4 Google Analytics

New web pages 08/22 - 12/22

Page	Page views
Noise complaints	1285
Tips to resolve a noise issue	155
Letter template	567
Nuisance diary - Download	268
Warwick District Council nuisance diary - editable PDF - Download	69
Warwick District Council nuisance diary - Microsoft Word - Download	36
Total page views	2380

Old web pages 08/21 - 12/21

Page	Page views
Noise or neighbour nuisance	1065
The Noise App	286
Noise recording sheet	151

Total page views	1502
New Reporting form 08/22 - 12/22	
Form visits	329
Form completions	96
Old form 08/21 - 12/21	
Form - Report and noise nuisance visits	2379
Form - Report and noise nuisance completions	324
Noise App – New users	
New Users (Noise App) September – December 2021:	138
New Users (Noise App) September – December 2022:	62

1.33 The figures show:

- More people are visiting the web pages:
 - Total page views before: 1502
 - Total page views after: 2380
- More people are visiting the diary download page:
 - Before: 151
 - After: 373
- Fewer people are visiting the reporting form (by a large margin):
 - Visits before: 2379
 - Visits after: 329
- Fewer people are filling in the reporting form
 - Before: 324
 - After: 96

1.34 The higher number of page hits and fewer number of form completions suggest people are now using the information found on the pages to resolve their issue rather than using the form in the first instance. From a statistics perspective, it is early days however it looks as though we achieved what we set out to do at the start of the transformation project.

1.35 Working arrangements, with the Police.

1.36 Members stated that they would welcome the Council collaborating more closely with the local Police to secure their support in addressing the issue of noise nuisance in the district.

1.37 There are several partnership working groups in operation where issues regarding noise can be raised and actions plans discussed. Linked most closely with EH and the wider SCLE service area, these include (but are not limited to) Partnership Problem Solving meetings (lead by the Community Safety team and the Multi Agency Licensing Enforcement Meetings (MALEM) (led by the Licensing team). There are also Case Management Meetings (CMM). CMM is the multi-agency meeting where they discuss cases that have been identified by

the Risk Assessment (RA) as high risk/vulnerable. Most of these cases are neighbour disputes and noise is often part of the complaint. Officers that attend this meeting include EH, Police, Registered Social Landlords and Victim Support.

1.38 When the police were consulted in relation to any feedback regarding the implementation of the new Noise Policy, the Police did not have any direct policy matters to raise but responded to the request by members for the Council to collaborate more closely with the local Police to secure their support in addressing the issue of noise nuisance in the District – and advised all reports are assessed using Threat Harm and Risk (THRIVE) where all factors are considered. This assessment will determine if a resource is deployed and what priority it is given. From a licencing perspective and reports of noise from licenced premises, first port of call is Environmental Health, then Council licencing, supported by police if required. Joint visits, words of advice or licence review if appropriate.

2 Alternative Options

2.1 Not Applicable for this report

3 Legal Implications

3.1 Not Applicable for this report

4 Financial

4.1 Should the Council not follow its enforcement procedures or make poor decisions in relation to its enforcement activities, there would be a financial risk associated with attempting to pursue with figuratively or what may be considered by the courts as, overzealous enforcement action.

5 Business Strategy

5.1 This report is not a part of a decision but the subject matter impacts on several Business Strategy areas as follows.

5.2 Health, Homes, Communities,

- Improved health for all
- Impressive cultural and sports activities
- Cohesive and active communities

5.3 Infrastructure, Enterprise, Employment,

- Dynamic and diverse local economy
- Vibrant town centres
- Improved performance/ productivity of local economy
- Increased employment and income levels

5.4 Effective Staff,

- All staff are properly trained
- All staff have the appropriate tools
- All staff are engaged, empowered, and supported
- The right people are in the right job with the right skills and right behaviours

5.5 Maintain or Improve Services

- Focusing on our customers' needs
- Continuously improve our processes
- Increase the digital provision of services

5.6 Firm Financial Footing over the Longer Term.

- Better return/use of our assets
- Seek best value for money

6 Environmental/Climate Change Implications

6.1 Not applicable

7 Analysis of the effects on Equality

7.1 A review on equality is due to take place as part of the longer-term proposals.

8 Data Protection

8.1 Investigations are subject to controls on how evidence is gathered and used and give a range of protection to members of the public and potential defendants. Our investigations are carried out in accordance with the following legislation. They will also be carried out in accordance with any associated guidance or codes of practice, including:

- Police and Criminal Evidence Act 1984
- Criminal Procedure and Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Criminal Justice and Police Act 2001
- Human Rights Act 1998

We will comply with the requirements of the legislation under which we are acting and any associated guidance or codes of practice.

9 Health and Wellbeing

9.1 This is a summary report only; however, this is a vital service and one that aims to protect the health and wellbeing of the public. Noise is a fact of life and there is always going to be an element of give and take, however unwanted noise and especially that which reaches the bar of SN is "an underestimated threat that can cause a number of short and long-term health problems, such as sleep disturbance, cardiovascular effects, poorer work and school performance, hearing impairment, etc". (WHO 2010).

10 Risk Assessment

10.1 The most significant risk is inappropriate use of resources. We will ensure that our resources are targeted where they will be most effective. We will ensure that intelligence and dynamic risk assessment inform all aspects of our approach to regulatory or enforcement activity, including (where relevant):

- Data collection and other information requirements
- Inspections
- Advice and support strategies
- Enforcement activity and sanctions

Where appropriate and relevant to the non-compliance, we will use the appropriate government risk assessment scheme to inform any intervention.

When determining risk, we will consider:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply
- Use of complaints/investigation filters.

We will also use intelligence to direct investigation-based projects, targeting activities or businesses or individuals where there are known issues. However, complaints may also trigger a visit if that is the most appropriate response.

11 Consultation

- 11.1 The report has been considered by the SCLE Programme Advisory Board on 17 January. Discussions were held and further advice with regards to firework and traffic noise, which is regulated in the main, by other agencies.
- 11.2 Clarification also provided that further partnership work with students and the University will be undertaken by the Environmental Health, ASB & Private Sector Housing – Noise & Nuisance Review Group.

12 Background papers:

Overview and Scrutiny Committee Report held on Tuesday 9 August 2022 in the Town Hall, Royal Leamington Spa at 6.00 pm.

Supporting documents:

The Noise Policy agreed at the above and by Cabinet on 10 August - [Noise Policy - Download - Warwick District Council \(warwickdc.gov.uk\)](#)

[Web pages](#)

Page
Noise complaints
Tips to resolve a noise issue
Letter template
Nuisance diary - Download
Warwick District Council nuisance diary - editable PDF - Download
Warwick District Council nuisance diary - Microsoft Word - Download

Appendix 1

Agenda Item No 6 Overview & Scrutiny Committee

<p>Title: Noise Nuisance Investigations (Noise Policy & Six-month review and service area performance in respect of all forms of nuisance) 19th April 2023</p>	
<p>Request from Committee to include a section on fireworks and a basic investigation process flow</p>	<p>Added to the policy prior to release in October, members advised of the update via Committee Services</p>
<p>Clarification requested from a Cllr on the new process requesting a 14-day diary at the submission of a first complaint.</p>	<p>Advice provided to the Cllr, in terms of how the new process compared to the old process.</p> <p>(Removal of the need for a paper based (postal) signed declaration which had to be posted out and returned before any consideration made. In most cases, under the old process, customers were then written to and requested to complete a diary for initial assessment).</p> <p>Declaration can now be made online and completed diaries, submitted along with the initial complaint.</p>
<p>Request from Private Sector Housing Manager - to further develop cross departmental operational processes.</p>	<p>Meeting to discuss took place on 15th February.</p>
<p>Comment from member of the public - Noise Policy is too complicated and wordy, a request for a more streamlined, easy to read version.</p>	<p>Officers have suggested a streamlined all-encompassing statutory nuisance advice leaflet would be useful.</p>
<p>South Leamington Area Residents Group (SoLAR) - Noise Policy not detailed enough, fails to address specific issues, e.g., student parties/large scale gatherings.</p>	<p>References to students/HMOs in the Noise Policy currently are under, paragraph 8.5 & 23.4</p> <p>Meeting held with SOLAR on 19th January. Discussions regarding complaint handling between teams, actions going forward are linked with the Request from the Private Sector Housing Manager and development of the MOU Further work with SoLAR</p>

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	with reference to how feedback should be best provided.
Compliment received from a member of the public - in relation to the speedy response provided under the new procedure, this was in relation to a noise complaint about a licensed premises.	Reminder of new process - Initial response to complaints about a licensed premise are now picked up immediately by the licensing team, who make initial contact with person complaining and person responsible for the premises, this is often completed ahead of target response times, and on the same day. New target set for response to first complaint about a licensed premises is two working days. NB For this type of complaint, this early intervention does not require a 14day upfront nuisance diary (Diaries would however be required if the noise was to continue after the first warning).
Comment from Licensing Authority -Noise App evidence, submitted by a member of the public, provided sufficient evidence for licensing to take further action to secure compliance with a premise condition, resident was fully engaged, understood the procedure, willing to provide robust evidence and witness statement.	Consideration to be given as part of the ongoing review process.
Comment from Officer - Has streamlined the process (cut out some waste processes) more time can be allocated to people that need help.	Consideration to be given as part of the ongoing review process.
Comment from Officer - Need to consider more, the accessibility (or information) for those not able to complete online forms.	Consideration to be given as part of the ongoing review process. Worthy of note for any residents not able to access the online provision, the team are still able to revert to the postal and telephone method.

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Comment from Safer Communities, Leisure & Environment Head of service - No formal Stage 1 or Stage 2 complaints received about noise complaint investigations since August 2022.	Consideration to be given as part of the ongoing review process.
Comment from Anti-Social Behaviour (ASB) Team regarding the process for identifying vulnerable persons at initial receipt of complaint stage.	Additional process put in place to enable the completion of individual Risk Assessments that can then be shared with the ASB team. Further consideration to be given as part of the ongoing review process.
Comment from Officer – Request for further clarification regarding noise in the street criteria.	Consideration to be given as part of the ongoing review process.
Comment from Officer – Request for a description for what is an “ordinary person” in nuisance law terms.	Consideration to be given as part of the ongoing review process.
Comments from Officer – Further clarification required about what a Best Practical Means (BPM) defence looks like for a business premises.	Consideration to be given as part of the ongoing review process.
Comments from Officer – Further clarification that noise only affecting non-habitable spaces such as bathrooms, kitchens, etc. are unlikely to be considered a nuisance.	Consideration to be given as part of the ongoing review process.
Comments from Officer – Request for clarify that statutory nuisance does not apply to impact on pets (only impact on humans).	Consideration to be given as part of the ongoing review process.

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<p>Comment from Officer – Can the noise app be rolled out to other teams to use.</p>	<p>Consideration to be given as part of the ongoing review process.</p>
<p>Comment from Landlord Operations Manager</p>	<p>The policy has allowed for a more streamlined and consistent approach to addressing reports of noise nuisance.</p> <p>Some further work may be required to further streamline how Housing officers work with EHO's operationally when matters need to be referred over as there are some concerns there may be a Statutory Nuisance and consideration may need to be given to whether Housing can access the Noise App, although some of our most vulnerable tenants may not have the necessary data, internet or indeed smart phone capability to access this.</p> <p>It is pleasing however to see the use of mediation used more across the board which has always been in our anti-social behaviour toolkit within Housing.</p> <p>Further clarity may need to be sought regarding whether anti-social behaviour nuisance logs will still be needed if the noise app is being used, but I would add that the logs do help to ascertain how any witness or victim is being affected by said noise.</p>

Title: End of Term Report

Lead Officer: Lesley Dury, Principal Committee Services Officer

Portfolio Holder: Not applicable

Wards of the District directly affected: Not applicable

Approvals required	Date	Name
Portfolio Holder		
Finance		
Legal Services		
Chief Executive	3/4/23	Andrew Jones
Programme Director for Climate Change		
Head of Service(s)	3/4/23	Graham Leach
Section 151 Officer		
Monitoring Officer	3/4/23	Andrew Jones
Leadership Co-ordination Group		
Final decision by this Committee or rec to another Cttee / Council?	The report will go to Council for noting.	
Contrary to Policy / Budget framework?	No	
Does this report contain exempt info/Confidential? If so, which paragraph(s)?	No	
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?	No	
Accessibility Checked?	Yes	

Summary

This report is the annual end of term report to the Council on the work the Overview & Scrutiny Committee has undertaken during the municipal year 2022/23. Article 6 in the Council's Constitution mandates that the Committee must report annually to Council on its working.

The Committee met 10 times during the year. Some members from this Committee also formed part of the membership of the Fees & Charges Review Group and the Budget Review Group which both met once to discuss certain financial reports.

Recommendation(s)

- (1) That it be recommended to Council that the list of matters considered by the Overview & Scrutiny Committee during the municipal year 2022/23, as detailed in Appendix A to the report, be noted.
 - (2) That prior to the submission to Council, the report be updated to include the meeting of the Overview & Scrutiny Committee that took place in April 2023.
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1 Reasons for the Recommendation

- 1.1 Under Article 6 of the Council's Constitution, Overview & Scrutiny Committees and Policy Committees are required to provide an end of term report to the Council on the work they have undertaken during the year.
- 1.2 The matters considered during the year are attached at Appendix A to the report. This will be updated to include matters considered at this meeting before it is submitted to Council.
- 1.3 A full account of the work undertaken by the Overview & Scrutiny Committee for the municipal year 2022/23 will be submitted to Council.

2 Alternative Options

- 2.1 There are no alternative options because this report complies with the requirements of Article 6 of the Council's Constitution.

3 Legal Implications

- 3.1 There are no legal or human rights implications in this report.

4 Financial

- 4.1 There are no financial or budgetary considerations in this report.

5 Business Strategy

- 5.1 The recommendations in this report do not impact any of the Council's service areas or any business strategies. The report is written every year because it is a requirement of Article 6 of the Council's Constitution.

6 Environmental/Climate Change Implications

- 6.1 There are no environmental or climate change implications.

7 Analysis of the effects on Equality

- 7.1 There are no effects on equality.

8 Data Protection

8.1 There are no data protection implications.

9 Health and Wellbeing

9.1 There are no health and wellbeing implications.

10 Risk Assessment

10.1 There are no risks associated with this report which is purely provided as a matter of good practice and Council policy concerning Scrutiny Committees.

11 Consultation

11.1 Not required for all reports and can be removed if not used but should include details if the proposal has been considered by the relevant programme advisory board, any consultation with ward councillors (when a specific ward is directly affected) and any wider public consultation undertaken (if not included in the reasons for recommendation)

Background papers:

Only minutes of both Overview & Scrutiny Committee and of Cabinet have been referred to in the preparation of this report. These are published on the Council's website.

Supporting documents:

Not applicable.

Chair's Introduction

I'd like to start this year's report by thanking all the officers who have supported the Committee over the last twelve months. This includes all those who've come and presented to us along with portfolio holders but it's only right to pay particular thanks to Lesley Dury, Graham Leach and Andy Jones. All three have been invaluable to me in supporting the functioning of the Committee but also with the occasional helpful steer when needed.

I'd also like to thank all the Members of the Committee. It's been a hard year at times with the expanded remit of the Committee and they have continued to do a good job of scrutinising the work of the Council in a way that is appropriate, respectful but most of all helps improve things for our residents. This goes for Members of all party groups, and the willingness of Members to challenge constructively, regardless of party, only strengthens the work of the Committee and shows that scrutiny is most effective when divorced from party-politics. This is evidenced by the 11 recommendations that have been accepted by Cabinet as a result of work by the Committee.

Having attended the Joint Cabinet on a number of occasions it is obvious that not all Councils welcome comments from scrutiny committees and in this regard, I think we are managing to find the right balance to speak on behalf of our residents.

In pulling together this report I invited all Members of the Committee to share their thoughts on how we have worked and what could be made better in the future in order to benefit the next administration. These comments fell into three main categories:

- 1.) The breadth and volume of what we deal with as a committee makes it difficult to deal with issues to the level of detail required.

Over the last twelve months, particularly with the dissolution of Finance & Audit Scrutiny, the breadth of the Committee's remit has increased significantly. The ability of Councillors to ask targeted, direct questions has helped to keep the length of meetings within manageable bounds but with the level of detail we are reviewing there is a point at which scrutiny becomes ineffective.

The volume of Cabinet activity has also meant that we have been able to spend less time on our own proactive agenda, thus reducing the benefit that we provide to residents. This will be somewhat addressed by the introduction of additional meetings, but it does mean that being a Member of the Scrutiny Committee is one of the largest workloads a Councillor can take on.

- 2.) Cabinet reports need to be better organised to enable effective scrutiny.

As Chair I've witnessed improvements in the way that Cabinet reports are presented and written over the last three years. However, there is still room for improvement.

Members still receive reports which whilst comprehensive are overly long and often include detail which isn't really needed for the Committee. We see examples of changes to standard policies where the changes aren't made clear

and the only way to identify the papers is by a 'compare and contrast'. There is also a need to show how data and insight are being used to translate into and inform future policy in a clear and obvious way, rather than the two feeling unconnected.

3.) Effective scrutiny of the Council's finances needs specialist skill.

The finances of the Council are a complex matter for many people to understand and since taking this within our remit we have not had the specific training support that we have requested. This is a significant risk for the Council and potentially for the residents that we serve and needs urgent addressing. Members have worked hard on trying to give financial matters effective scrutiny but even with all our best efforts there are gaps which need closing.

Despite the challenges that the Committee has faced I have enjoyed my third year as Chair. With a new administration coming into being in May, and new Members as part of that, it's important that these issues are addressed quickly in order to ensure the future effectiveness of the Scrutiny function.

Councillor Andrew Milton
Chair, Overview & Scrutiny Committee

Items considered by Overview & Scrutiny Committee 2022/23

Overview & Scrutiny Committee Work Programme Items

2022:

- Climate Change Action Programme Update
- Update on the Cessation of the Proposed Merger with Stratford-on-Avon District Council
- Work Programme Update – Digital Update
- Development Management and Enforcement Performance Update
- Treasury Management Activity Report for the period 1 October 2021 to 31 March 2022
- Annual Treasury Management Report 2021/2022 (At its meeting 28 September, the Overview & Scrutiny Committee recommended to Council that in future, updates on Treasury Management should be considered by the Audit & Standards Committee. Council approved this recommendation at its meeting 19 October.)
- Regulatory Services Software Replacement Project – Review and Termination of Supplier Contract
- Report on the reasons for cost increases in the Castle Farm Leisure Centre and Abbey Fields Swimming Pool projects
- Climate Change Action Programme Update
- Waste Enforcement Update

2023:

- Equalities Task & Finish Group
- Revisions to Scrutiny Arrangements (At its meeting 7 February, the Overview & Scrutiny Committee agreed that from the municipal year, the Committee would hold four additional meetings. It also recommended to Council the remit for the Budget Review Group, subject to support from Audit & Standards Committee. Council, at its meeting 28 February, approved the recommendation, and also approved the Audit & Standards Committee recommendation to include the consideration of the Annual Treasury Management Strategy.)
- Development Management and Enforcement Performance Update
- Waste Enforcement Update
- Annual Update of the Destination Management Organisation – Shakespeare’s England
- Overview & Scrutiny Committee’s End of Term Report
- The role, responsibilities, and performance (2022/2023) of the South Warwickshire Community Safety Partnership
- Noise Nuisance Investigations (Noise Policy & six-month review and service area performance in respect of all forms of nuisance)
- Work Programme Update – Digital Strategy.
- Reports sent to all District Councillors for comment:
 - Children’s and Adults Safeguarding Champions: End of Term Briefing Note
 - Annual Outside Bodies and Champions’ Statements and Review

Routine Items:

Review of the Work Programme, Forward Plan and Comments from Cabinet

Task & Finish Group Work:

Equalities

The project was split into two distinct phases; phase one concentrated on internal issues with recruitment, promotion and training of staff; phase two, making the Council's services accessible to residents, organisations and businesses. Phase One was completed by the Group in 2021.

The Group, comprising of Councillors Mangat (Chair), C Gifford, Illingworth and Tangri presented its recommendations for the second phase of the project to Overview & Scrutiny Committee at its meeting in February 2023. These were approved by the Committee. The appropriate recommendations were then considered and approved by Cabinet at its meeting in March 2023.

Cabinet / Joint Cabinet reports scrutinised by the Committee, the Fees & Charges Review Group & the Budget Review Group:

(Where Overview & Scrutiny Committee (O&S) has made a recommendation(s) to Cabinet on reports being considered at Cabinet, Cabinet's decision to approve or refuse that recommendation is detailed below.)

O&S meeting 24 May 2022:

Milverton Homes Ltd Business Plan and Confidential Appendices

The Committee expressed its support for the report and for the aims and objectives of Milverton Homes Limited.

Members were keen that more information should be made available in the public domain.

Members asked a number of questions about the financial projections and potential risks of the organisation and were satisfied with the answers provided.

Associated Costs for the Purchase of 60, section 106 dwellings, Birmingham Road, Hatton, Warwickshire

The Committee noted the report.

Programme Team (Green Spaces) – Resourcing Delivery of Live Projects

The Committee noted the report.

O&S meeting 27 June 2022:

South Warwickshire Local Plan – Settlement Analysis Evidence Report

The Committee:

- (1) was keen that we stayed close to housing demand numbers and interrogated them when they were published along with the requirements for infrastructure within the areas;
- (2) wished to know when the budget shortfall would be addressed; and
- (3) requested that information should be added to the report up front to provide clarity on:
 - a. how the greenbelt is impacted (or not) by this report and when that will be addressed.

- b. the definition of a twenty-minute neighbourhood, with examples provided, for people to better understand the concept;
- c. densities and the impact these might have on future issues and options; and
- d. the distinction/difference between the Scoping and Call for Sites consultation results and the analysis done in this report and at what stage the results from both would come together.

Recommendation to Joint Cabinet:

The Committee recommended that the District Councils should engage with Town and Parish Councils earlier in the process to validate the findings for particular settlements.

Joint Cabinet response:

Did not accept the recommendation made by Overview & Scrutiny Committee. Instead, it substituted in its own recommendation as follows:

That parish and town councils are given the opportunity to comment on the settlement analysis prior to the Issues and Options consultation; and the Heads of Development, in consultation with the Portfolio Holders for Place and Economy and Planning and Place, make any subsequent factual and consistency changes, and any changes, as appropriate, following consultation with parish and town councils, and ward members.

O&S meeting 5 July 2022:

New projects for the Leisure Development

The Committee supported the recommendations in the report. Members were keen to ensure the individual projects were referred to the Programme Advisory Boards.

Recommendation to Cabinet:

Some broad comments were made about the provision of sports facilities across the District and the Committee recommended to Cabinet that these should be discussed at the Programme Advisory Boards (PABs)

Cabinet response:

Approved the recommendation made by O&S

Continuation of Hydrogen Hub Project and Confidential Appendix

The Committee supported the work going forward and was keen to see the business case develop, particularly relating to the return on investment and the case for electric vehicles vs hydrogen vehicles and how these technologies evolve over time.

South Warwickshire Electric Vehicle Charging EV Strategy

Recommendation to Cabinet:

The Committee recommended that this item continue to be discussed by the Climate Change Programme Advisory Board (PAB) in order to shape the strategy before it returns to Cabinet.

Cabinet response:

Approved the recommendation made by O&S

Supporting our Communities

The Committee supported the recommendations in the report. Members wished to reinforce its appreciation of the outstanding effort of officers and Members,

recognising the work that has been put in to keep services going to residents throughout the last two years.

The Committee also recommended that Members take part of a public round of applause for staff at the next full Council meeting on 28 July.

The Committee welcomed the service area plans. Members recognised the amount of that work that had gone into them and expressed a desire to see these in the context of historical data.

Members also recognised the high amount of information received and requested that attention is paid to how best to communicate changes to key performance indicators.

Recommendation to Cabinet:

The Committee recommended to Cabinet that:

1. officers could look at other ways to distribute the information in the Energy Price Rise Leaflet (appendix 3 to the report) via Parish/Town Councils / District Councillors;
2. The Committee asked officers to produce a definition of the RAG status to be used across the Council for consistency; and
3. The Committee asked that the performance measures are reviewed by the PABs to ensure they measure things of importance and are clear in what they are measuring.

Cabinet response:

Approved the recommendation made by O&S

O&S meeting 9 August 2022:

Net Zero Carbon Development Plan Document – submission

This report was not called in for scrutiny by Overview & Scrutiny Committee because the Committee had reviewed the draft Net Zero Carbon Development Plan Document at previous meetings; the Committee had also previously reviewed the Climate Change Action Programme. Minutes of a meeting when it was last reviewed had been circulated to Members ahead of the call-in deadline.

The Committee, in recognition of the importance of the work to the community and Council, expressed its thanks to officers for the work being done and supported the DPD.

Future Delivery of Noise Nuisance Investigations

The Committee thanked officers for their work on the policy and supported its implementation going forward.

Members would welcome the Council working more closely with the local Police to secure their support in addressing the issue of noise nuisance in the District.

The Committee agreed to review the policy and service area's performance in respect of all forms of noise nuisance more generally at its meeting in December 2022 because of the importance of the subject to residents.

Levelling Up Approach and Devolution Deal for Warwickshire

The Committee welcomed the engagement with parish and town councils and requested regular updates and engagement with District Councillors at appropriate times.

In reference to Recommendation 6 in the report, Members requested that the Bid submissions were made available to Councillors.

Recommendation to Cabinet:

The Committee recommended that Cabinet formally noted, and made appropriate representations about, the lack of reference to Sustainable Futures in the WCC Levelling Up objectives, despite it representing one of the high-level elements and having strong support from residents; and the lack of metrics (e.g. energy efficiency of housing stock) in the Evidence Base for gauging the potential for different districts and boroughs to achieve a sustainable future.

The Committee asked that Cabinet made these representations to the County Council.

Cabinet response:

Approved the recommendation made by O&S and agreed that these representations would be made to the County Council

Significant Business Risk Register

The Committee:

- welcomed a review of the inflation rate coming forward as soon as possible;
- Risk 7 – requested clarity on the reference to increased legal challenges; and
- requested more precision on events of national significance.

Recommendation to Cabinet:

The Committee recommended that Cabinet considered the addition of the following two points on the Register:

1. Local Government re-organisation – should be a risk in itself; and
2. The potential for disruption from industrial action – should be a trigger to be included in a number of risks (officers to review).

Cabinet response:

Approved the recommendation made by O&S

O&S meeting 28 September 2022:

Quarter 1 Budget Report

The Committee noted the report and thanked officers for their time in producing it. The Committee noted the positive impact the new financial system is having already and would like to thank officers and Members for the collaborative work on that.

Members highlighted their concerns on the impact of the energy crisis on Council finances and look forward to receiving an action plan on that in the near future.

Members have also asked that where emergency powers are used, full details should be made available in the Cabinet report to enable scrutiny to take place efficiently.

Final Accounts 2021/22

The Committee noted the report and congratulated officers on their efforts.

Relocation of Kenilworth Wardens

Members were concerned about the level of financial risk inherent in the project.

Recommendation to Cabinet:

The Committee recommended that the Cabinet should fully understand all different scenarios including project overspend, and that the Resources PAB should review the business case prior to disbursement.

Cabinet response:

Approved an arrangement that satisfied O&S

Notices of Motion from July Council

The Committee supported the report. In respect of Motion 1, the Committee asks that the legal advice provided by the Council's solicitors should be circulated to Cabinet ahead of its meeting. The Committee asks Cabinet to consider this advice before making its decision on the item.

With regards to Motion 2, the Committee received reassurance from the Head of Development Services that Policy H6 Guidance will be updated in due course, and that an updated Local Development Scheme will be brought to Cabinet in December.

Hydrogen Strategy

The Committee welcomed the report and recognised the complexity of the topic. The Committee welcomed the reassurance from the Portfolio Holder for Climate Change that this was an evolving situation and that a revised Hydrogen Strategy document will be brought forward in early 2023, alongside the business case.

Covent Garden Car Park

The Committee welcomed the report and thanked officers for their efforts in bringing it forward.

Recommendation to Cabinet:

The Committee recommended to Cabinet that the feasibility study should look at the potential for generating electricity for future, in line with the Council's ambitions.

Cabinet response:

Approved the recommendation made by O&S

O&S meeting 1 November and Budget & Fees Review meeting 2 November 2022:

Fees & Charges

The fees and charges review meeting:

1. Thanked officers for their work on report and responses to the volume of questions that came through.
2. Recognised that Council was dependent on the professional judgement of Officers and Portfolio Holders on Fees & Charges and that there was no perfect solution.

3. Recognised the potential financial challenges faced by the community over the next 12 months and it was keen that services remained accessible to them.
4. Recognised the overall financial challenge for the Council and this was one of three strands of the budget, the others being the government and Council Tax setting.
5. Recognised the challenges faced with elasticity of demand in that if fees were reduced in one area it may (or may not) result in increased demand that equated to extra income (above that anticipated from the proposed higher fee) from increased usage.
6. Asked that Officers look at opportunities to reduce the impact of the increases in sports facilities by keeping any increase below 15% to increase demand, especially being mindful of the legacy of the Commonwealth Games.
7. Asked Officers and Portfolio Holders to look for additional sources of income around potential sponsorship of works or assets or their maintenance.

Significant Business Risk Register

The Committee noted the report and thanked officers for their detailed work on it and the responses to the questions that had been asked before the meeting.

The Committee asked that:

1. In future reports, the future actions should be dated so as to avoid checking back when it became an action; and
2. In future reports, a short summary be included to provide a general overall of risk to the Council, i.e., generally is the risk increasing or decreasing.

Future Delivery of the Domestic Pest Control Service

The Committee had concerns about the removal of the service and asked that:

1. The service continues to monitor to record and report the number of complaints received; and
2. That non-co-operation by HMO Landlords with enforcement activity is reported to private sector housing so they are aware when licenses are being considered for renewal.

O&S meeting 6 December 2022:

Quarter 2 Budget Report

The Committee thanked officers for their work and noted the report. Concerns were raised about the continuing issues relating to staff recruitment. Whilst these issues meant that the Council's budget position had improved, recruitment had not.

Draft Local Transport Plan – Consultation Response

The Labour Group had called this report in for scrutiny but the Overview & Scrutiny Committee Chair decided that because it did not concern a Warwick District Council policy, but instead was for a response from this Council to a County Council consultation exercise, a better approach would be for Councillor Cullinan to consult

with officers and bring forward to Overview & Scrutiny Committee proposals for comments to be made to Cabinet.

The Overview & Scrutiny Committee:

1. Requested that the report should clarify that the reference to road planning in planning applications related to safety assessments and not the planning of routes.
2. The Council should make clear in its response that it is supportive of the proposals on pedestrian active travel rather than giving no comment.

HEART Shared Service Partnership

The Committee thanked officers for their work. Members noted that it was a complicated service to get right and recognised that it was heading in the right direction.

Corrections were required to reflect the reasons for the underperformance at that time at 1.3.1 in the report.

The Committee welcomed the commitment to some form of a continued Break Clause in the contract going forward.

Asylum Seekers Dispersal Scheme

The Committee thanked officers for their work and noted the report.

South Warwickshire Local Plan Part 1 – Issues and Options Consultation

1. The way that the reports were published (as one block, rather than as separate documents) created practical problems for Members in reviewing and scrutinising the content. Whilst recognising that the report was a technical topic, it was requested that the report should be better divided and structured to make it easier to manage.
2. Concerns were raised about the robustness of the process of the Sustainability Assessment and therefore the conclusions drawn from this. The Committee looked forward to feedback from the consultants in this regard.

Recommendation to Joint Cabinet:

The Committee recommended that wording, process and navigation for the consultation is tested using a broad range of people to ensure that the type of responses are what would be expected.

Joint Cabinet response:

Approved the recommendation made by O&S

O&S meeting 7 February & Budget Review Group meeting 8 February 2023:

Local Council Tax Reduction Scheme

The Budget Review Group supported the recommendations, in doing so recognising the administration burden for the Council of chasing the demand for any percentage of Council Tax to be paid against the balance of lost income.

The Group encouraged the Cabinet to ensure the message on eligibility is communicated clearly and simply to all residents and targeted to those who the Council consider may be eligible.

The Group welcomed the assurance from the Portfolio Holder to provide, to District Councillors, a one page eligibility sheet so they can help direct/filter enquiries.

The Group highlighted that any communication that is issued should highlight the process for making a claim, including an in person option.

The Group requested that all members are provided a breakdown of the number of properties within each Council Tax Band to supplement the Table as set out in 1.4.

Council Tax Support Fund

The Budget Review Group supported the recommendations in the report.

General Fund Revenue and Capital Budget

The Budget Review Group did not take a formal view on supporting or not the budget proposals.

The Group raised a number of points that the Cabinet and Council should take into consideration when finalising the budget and Council Tax setting for the 2023/24 financial year:

- The Council only has sufficient reserves for about two years (23/24 and 24/25) to sustain projected deficit of £3.5million.
- The change management strategy, from 24/25 onwards, was a key with proposing a positive budget effect of £1.5million recurring reducing the demand on Council reserves.
- Not increasing Council tax had a net adverse effect on the budget of just under £300,000 per annum for the Council.
- Assumptions had been in the budgeting on a lower anticipated number of new homes and inflation based on OBR, Government and advisors.
- Budget assumes no government funding in 24/25 but chancellor has indicated (with no detail or figures) this will not be the case.
- CEAP reserve of £500k per annum has not been increased to allow for inflation and would be used to fund £70k work on Bio Diversity (as set on Cabinet agenda).
- There is no further news on the business rate retention reset proposal.

The Group noted that:

- Further details of the proposed £160k for Abbey Fields Cycle route will be shared with all Councillors.
- There was an error on the totalling in Appendix 5b and a revised one would be circulated to all Councillors.
- Officers would share the split of right to buy receipts between the one to one budget and any purpose capital budget.
- Officers would share with all Councillors the assumptions & calculations that lead to the MTFs forecasts.

HRA Budget and Rent Setting

The Budget Review Group supported the recommendations in the report.

The Group were concerned that while the HRA was on target for delivering its plans for 2023/24, in the following financial years the Council may have to reduce the ambitions in terms of development, decarbonising, decent home standards and support to customers, because of the impact in rental income reduction. While at this time there is not a proposal for cuts at this time if the restrictions on rent continue there may be a need to.

The Group welcomed the agreement that the Head of Housing would share contact details of the Housing Team Financial Inclusion Officers with all councillors to help them filter and direct cases.

Relocation of Office Accommodation and the Provision of Public Facing Access to Council Services

The Committee thanked officers for their work on the report and the project. Members were satisfied that the proposals would provide access to Council services and facilities for the most vulnerable, however more detail was requested on how more disruptive visitors would be controlled, and how the space as a whole would operate.

The Committee requested that it be provided with a report six months' post-opening to ensure that the needs of residents were being met.

Riverside House Disposal Options

The Committee thanked officers for their work and noted the report.

Future High Street Funds Update

The Committee discussed the additional risk this placed on the Council and requested regular reports to Overview & Scrutiny Committee on a quarterly basis.

A comment was made on the confidential appendix, but it did not form a recommendation to Cabinet. The content of the comment was recorded in the confidential minutes of the meeting.

O&S meeting 7 March 2023:

Treasury Management Strategy 2023/24

The Committee thanked officers for their work on the report. The Committee supported the changes to the wording relating to the UK Risk Rating*. The Committee noted that further consideration should be given to Environmental Social and Governance (ESG) criteria and other countries for investments in the next Council.

Housing Revenue Account Business Plan Review 2023

The Committee noted that this had been an important and substantial amount of work and thanked officers.

The Committee asked that the new Council should consider how finance, particularly Housing finance, should be scrutinised to be effective.

How finance should be scrutinised would be added to the Committee's Work Programme for consideration by the next Overview & Scrutiny Committee.

Barford Youth and Community Centre Grant Application

This report was not called in for scrutiny at the meeting because the pre-scrutiny questions and answer (published on the Council's website) had addressed matters.

The Committee supported the grant and welcomed the installation of photovoltaic cells at an earlier stage of the project.

Recommendation to Cabinet:

Back in October 2022, when the Council was considering biodiversity, the Motion that was agreed contained the sentence "biodiversity net gain should be maximised in all developments that WDC has a financial interest in".

The Committee therefore recommended to Cabinet that officers be asked to determine an appropriate phrase for a condition to be attached to the grant application that ensures that the requirement for biodiversity net gain to be maximised is part of the grant condition.

Cabinet response:

Approved the recommendation made by O&S

Local Government Association Corporate Peer Challenge

This report was not called in for full scrutiny at the meeting.

Recommendation to Cabinet:

The Committee recommended to Cabinet that the Chairs of Scrutiny are included in the review process of the first draft of the report*.

(*The Deputy Chief Executive had drawn the Committee's attention to the fact that this recommendation was dependent on the gift of the next Leader.)

Cabinet response:

Approved the recommendation made by O&S

Contract Dispute – Dictate2Us Transcription Services

Recommendation to Cabinet:

This was a confidential report. The Committee made a recommendation to Cabinet.

Cabinet response:

Approved the recommendation made by O&S