OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on Tuesday 11 December 2012 at the Town Hall, Royal Leamington Spa at 6.30pm.

PRESENT: Councillor Gifford (Chairman); Councillors Mrs Blacklock, Boad, Brookes, Copping, Dean, Mrs Falp, Mrs Gallagher, Gill, Guest, Mrs Higgins, Weber and Weed.

ALSO PRESENT: Councillors Mrs Grainger and Shilton (Portfolio Holders)

Councillor Weed substituted for Councillor Edwards.

65. **DECLARATIONS OF INTEREST**

Minute Number 78 – Executive Agenda item 16 - Fetherston Court

Councillors Mrs Blacklock and Ms Weed declared personal interests, during the course of the meeting, because they were both members of the Planning Committee. They left the room whilst the item was discussed.

66. **EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 12 DECEMBER 2012**

Item 6 – Proposed Regeneration LLP

The Liberal Democrat Group had requested that this item be discussed by the Overview and Scrutiny Committee because of its considerable potential.

Both scrutiny committees had received a presentation prior to the start of their individual meetings.

Queries were raised by Members regarding any links to the Portas Project but the Project Manager, Duncan Elliott advised that there were no links at this stage.

Officers also confirmed that the membership of the reference group was the four Group Leaders, plus the Portfolio Holders for Finance and Development Services.

The Overview & Scrutiny Committee supported the recommendations in the report.

67. **UPDATE FROM THE PORTFOLIO HOLDER FOR NEIGHBOURHOOD SERVICES**

The Committee received a report from the Portfolio Holder for Neighbourhood Services, Councillor Shilton and the Head of Neighbourhood Services, Ian Coker, outlining completed and proposed works in his Service Area to the Overview and Scrutiny Committee.

Also present were officers from the Waste Management Team and Car Parks.

Members raised a number of questions which were answered by all the staff members present and supported by the Portfolio Holder. The issues covered included an update on the progress of drainage works at Abbey Fields Car Park which would be delivered in April or May 2013.

Members were encouraged that Neighbourhood Services were back up to operational numbers of staff and were advised that refuse teams would begin their training directly in the towns they would be dedicated to and specified mobile beats would also be introduced.

The Portfolio Holder stated that the pertinent areas of risk for the future were the changeover period for the Waste Management contracts and the recent proposals from the County Council to potentially use a third party to deliver the on-street parking service. Councillor Shilton also highlighted the inability of the department to deliver a quality tree maintenance service due to low staff numbers, which would be dealt with in an Executive report the following evening.

Finally, discussion took place regarding the level of work needed to bring the Council's sports pitches and bowling greens up to standard and how the introduction of the Men's Championships would increase costs. However, Members were reminded that the decision to implement improvement works to the bowls pitches at Victoria Park had already been completed, prior to the Men's Championships being relocated to Royal Leamington Spa.

Ian Coker also expressed his desire to work with community groups to raise funds for areas such as skate parks that were not covered by the allocated funds for the development of play areas and open spaces.

Following the presentation and the question and answer session, the Committee thanked both the Head of Neighbourhood Services, Ian Coker and the Portfolio Holder, Councillor Shilton.

68. **CAR PARKING PROVISION**

The Head of Neighbourhood Services, Ian Coker addressed the Committee following the news that the County Council were proposing to engage with a third party to deliver their on-street parking function.

Ian Coker advised that a report was due before Warwickshire County Council's Cabinet shortly advising that it enter into competitive market testing for the service but stressed that no decision had been made as yet.

He outlined the options available to the District Council including bidding for all the on-street works available, to bid for the work as currently delivered or the Council could choose to not bid and focus solely on managing its off-street car parks. The fourth outcome was off-street car parks could also be managed by a new bidder.

The impact of these proposals was that the County could still charge what it wanted for parking but he reminded Members that this situation was at a

very early stage and more information was needed from the County before any conclusions could be reached.

In addition, Ian Coker advised that last week Warwick Town Council had agreed the principle of linear charging for on-street parking.

Following the question and answer session, the Committee thanked both the Head of Neighbourhood Services and the Portfolio Holder.

69. **PUBLIC & PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item, by reason of the likely disclosure of exempt information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

70. **EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 12 DECEMBER 2012**

Item 17 – Tree Maintenance Service

Item 17 proposed that the existing Tree Maintenance Service at Warwick District be moved to the responsibility of the County Council.

The Liberal Democrat Group requested that this item should be discussed because of concerns about how such changes might affect levels of service.

Members raised concerns that the working party's views had been ignored and felt that the County Council would not deliver a quality service because its attitude towards maintaining healthy trees was very different to our own. Concerns were raised regarding the responsibility for managing Tree Preservation Orders and Members had strong doubts that replanting of trees would take place.

Ian Coker explained that with the current staffing level, the Council was not able to deliver a quality service. He advised that officers had worked closely with the Forestry Team at the County Council and stressed that these officers took a very different attitude to those of the Highways Department. He explained that the agreement would ensure that the District Council retained decision making responsibility and the control over quality of service.

Members were sympathetic to the issues which had led officers to make this proposal but had reservations that the County would be able to deliver a quality service. They therefore made the following comment to the Executive:

> The Overview & Scrutiny Committee expressed concerns that the County Council may not be able to deliver the same level of quality of service. However, Members received assurances from Neighbourhood Services that this would be the best outcome for the maintenance and care of the

Council's own trees. They agreed that the reasons for the move of the service were compelling and understood that financial pressures meant the present situation could not continue but felt strongly that the SLA would need to be very carefully monitored.

Councillor Gifford thanked the Portfolio Holder, Head of Neighbourhood Services and other members of the team for attending and answering the Committee's questions.

71. UPDATE FROM THE PORTFOLIO HOLDER FOR CORPORATE & COMMUNITY SERVICES

The Committee received a report from the Portfolio Holder for Corporate and Community Services, Councillor Mrs Grainger, and the Head of Corporate and Community Services, Susie Drummond, outlining completed and proposed works in their Service Area to the Overview and Scrutiny Committee.

The main areas discussed were the effective use of Community Forums, the integration of Library Services and the public's use of the Council's website.

Councillor Mrs Grainger explained that the Council's Community Forums were some of the best in the County and the only ones which gave out funding. She felt there was a need to protect this service as an example of how forums could work in the community.

Concerns were raised regarding low numbers of public participation at the forums but Members agreed that this often depended on the topic of discussion. It was noted that some of the highest turnouts had been when the forums had discussed more controversial issues such as the Local Plan and even when there had been excellent presentations such as the use of cannabis in the community, the turnout had not been substantial.

Members were encouraged that the Libraries intervention had gone well and were reminded that this had led to a continual learning curve and ongoing training for staff. Although there had been teething problems, the service was still being used as much, if not more, than previously.

Queries were raised regarding a drop in website numbers which officers advised could be down to a number of reasons, including whether survey boxes were responded to or not.

Following the presentation and the question and answer session, the Committee thanked both the Head of Corporate and Community Services, Susie Drummond and the Portfolio Holder, Councillor Mrs Grainger.

72. LEARNING FROM THE PROCUREMENT OF VOLUNTARY SECTOR SERVICES PART A

The Committee received a report from Corporate and Community Services following a request from the Overview and Scrutiny Committee that a review of the Voluntary and Community Sector (VCS) services procured for the period 01/04/12 to 31/3/15 be included in its Work Plan.

This report contained a number of recommendations for improving the process in subsequent rounds, and provided an update on the services being delivered

The report was presented in two parts. The Part A incorporated all of the information that was considered appropriate to place in the public domain in order to inform the decision of Members in relation to the recommendations

The Part B report, elsewhere on the Overview & Scrutiny agenda, included those elements which it was considered necessary to deal with on a confidential basis in order to maintain commercial confidentiality. The information contained in the Part B report was considered to be the minimum necessary to meet such requirements, and that report contained no recommendations. In considering the recommendations set out in this report, it was necessary for Members to have regard to information contained in both the public domain (Part A) and the private and confidential (Part B) elements of the report in order to arrive at their conclusions.

Councillor Boad raised a number of issues regarding the process and felt that there had been a lack of training for voluntary groups and interested parties to assist them in making their bid. He felt there had been a lot of misunderstanding and miscommunication with organisations who were not aware that they would lose their funding unless they applied through this process. He also questioned if it had been necessary to put this through the Procurement Process.

In response, Councillor Mrs Grainger advised that there had been many workshops and lots of training provided to assist all groups who wanted to submit bids. She also stated that many Voluntary Sector groups had appeared ill prepared and uncertain of their running costs. With regard to procurement, it had been necessary to follow this process because of the sums of money involved.

The Head of Corporate and Community Services, Susie Drummond, addressed Members and explained that a lot of work had gone into commissioning to establish exactly what services the community wanted the Voluntary Sector to provide. She also advised that they had not received any feedback from groups who felt they had missed out on funding.

Members were encouraged that many of the organisations involved had secured three years funding with the Council, ensuring them work in difficult economic times.

Following the presentation and the question and answer session, the Committee thanked both the Head of Corporate and Community Services, Susie Drummond and the Portfolio Holder, Councillor Mrs Grainger.

RESOLVED that

(1) the comments made by the cross-party Elected Member Grant Review Panel on the process of

tendering for voluntary sector services, be noted;

(2) the recommendations made by the cross-party Elected Member Grant Review Panel to improve future processes of tendering for voluntary sector services, be noted; and

(3) both the progress of voluntary sector groups during the first six months of the new service level agreements, and issues for further consideration as detailed in the Part B report, be noted.

73. **PUBLIC & PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item, by reason of the likely disclosure of exempt information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

74. **LEARNING FROM THE PROCUREMENT OF VOLUNTARY SECTOR SERVICES PART B**

The Committee received a report from Corporate and Community Services following a request from the Overview and Scrutiny Committee that a review of the Voluntary and Community Sector (VCS) services procured for the period 01/04/12 to 31/3/15 be included in its work Plan.

As detailed in Minute Number 71, this report considered details that were pertinent to Members' consideration of the recommendations in the Part A report elsewhere on this agenda but which were deemed to be private and confidential. It included information relating to the financial or business affairs of any particular person (including the authority holding that information) and individuals were able to be identified.

Some Members were concerned that residents of the District were struggling financially and felt that help needed to be offered earlier than was proposed in the report.

In response, Susie Drummond advised that the Council now had a Financial Inclusion Officer who was working with residents to help them overcome and rectify financial problems. She stated that this was an area of work that the Benefits Team continually worked on and assured Members that there was a lot of work being focussed on this issue.

The Committee thanked both the Head of Corporate and Community Services, Susie Drummond and the Portfolio Holder, Councillor Mrs Grainger for attending and answering their questions.

75. HOMECHOICE ALLOCATIONS REVIEW

The Committee received a verbal report from Housing and Property Services regarding the review into HomeChoice Allocations scheme. Documents were distributed at the meeting which outlined the current scheme versus the future proposal and a timetable of the allocations review.

The Head of Housing and Property Services, Jameel Malik was present alongside Development Officer, Lydia Wailoo to present the report and answer any questions from Members.

Lydia Wailoo outlined the report and reminded Councillors that the allocations scheme needed to remain continually under review and officers wanted to keep Members up to date on where the service was heading.

She highlighted a number of key changes to the scheme including the removal of Band 4 which was for households with no housing need, the introduction of a gross household income of £60,000 and the exclusion of owner occupiers/home owners, among others.

Officers felt that the policy should be reviewed to ensure the Council's and legal obligations were still being met and due to the recent introduction of the Localism Act.

The Committee supported the recommendations and noted the potential for separate criteria being applied to older residents of the District because their needs often differed to younger people.

Although there was some discussions regarding households within households and sympathy was felt for those living in difficult situations, Members were mindful that there was a shortage of housing in the area.

76. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 12 DECEMBER 2012

Item 10 – Tenancy Strategy

The Labour Group had requested that this item be discussed because of the importance of the strategy to the District's residents and to the Council as landlord.

Queries were raised regarding the length of tenancies and concerns were raised that a two year tenancy gave less security than a five year tenancy. Members were also keen to ensure that the strategy and policy should be agreed in tandem.

The Committee accepted the strategy but highlighted that the Council would still have the ability to decide the length of tenancies for our own housing stock. Members asked the Executive be mindful that the Council would need to bring a policy forward for our tenants at a later date.

Therefore, the comments made to the Executive was 'the Overview & Scrutiny Committee accepted the strategy but highlighted that the Council would still have the ability to decide the length of tenancies for our own

housing stock. Members asked the Executive to be mindful that the Council would need to bring a policy forward for our tenants at a later date.'

77. **PUBLIC & PRESS**

RESOLVED that under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item, by reason of the likely disclosure of exempt information within paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

78. **EXECUTIVE AGENDA (CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 12 DECEMBER 2012**

Item 16 – Fetherston Court Development Options

The Liberal Democrat Group had requested that this item be discussed because of the need to fully understand the effect on HomeChoice.

Councillors discussed the complex nature of the project and agreed that the decanting of residents needed to be completed as swiftly as possible. Officers advised that all residents would be vacated before building works commenced and assured Members that safety and security of the site was a key issue in the project.

The Portfolio Holder for Housing and Property Services, Councillor Vincett, assured Members that a great deal of liaison had been completed between Housing Officers and the residents and outlined the different options available to them. He thanked Members for the suggestion that the empty properties could be used on very short term emergency tenancies and agreed to investigate this possibility.

Members agreed that some tenants were very positive and enthusiastic about the new development and congratulated the officers concerned for their continued communications with the affected residents.

The Committee thanked the Head of Housing and Property Services, Jameel Malik and the Portfolio Holder, Councillor Vincett for attending and answering their questions.

In addition the Committee thanked Lydia Wailoo for attending and presenting her reports. Having been advised that Lydia was leaving the Council the Committee expressed their gratitude to her for her hard work over the years and wished her every success in her new role.

The Overview & Scrutiny Committee supported the recommendations in the report and was hopeful that the building could be used for short term, emergency housing during the decant period". So Cllr Vincett agreed to investigate the possibility of using the building for short term emergency use during the period when the permanent residents were being transferred to other properties.

79. **MINUTES**

The minutes of the meeting held on 13 November 2012 were agreed and signed by the Chair as a correct record.

80. **COMMENTS FROM THE EXECUTIVE**

The Committee considered a report from Civic and Committee Services which detailed the response the Executive had given to their comments regarding the reports submitted to the Executive in November 2012.

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

RESOLVED that the report be noted.

81. **FORWARD PLAN**

The Committee considered the Forward Plan which had been published for December 2012 to March 2013.

Queries were raised regarding the delay of the Kenilworth Mere report, which the Deputy Chief Executive (AJ) advised would be submitted to Executive in May 2013. He agreed to forward further details regarding the delay to Members.

The Deputy Chief Executive also advised of changes to the Lillington Area Action Plan due to the proposal from the Health Sector regarding primary hub arrangements. He agreed to forward further information to Members shortly.

RESOLVED that the report be noted.

82. **REVIEW OF THE WORK PROGRAMME**

The Committee considered a report from Civic and Committee Services on the Committee's work programme from December 2012 to April 2013.

Councillor Gifford proposed that the following councillors be appointed to the Sex Establishment Venue Task and Finish Group, following the recent resolution at Council:

Councillors; Brookes, Davies, Mrs Gallagher, Mrs Knight, Pittarello, Rhead, Ms Weed and Wreford-Bush.

Councillor Gifford felt that this was not only a good mix of members from both scrutiny committees but also of differing views and opinions.

He advised that the Committee Services Officer would send out an email confirming membership, with proposed dates and times for an initial meeting and requesting a draft scoping document from all members.

RESOLVED that the report be noted.

83. EXECUTIVE AGENDA (NON CONFIDENTIAL ITEMS AND REPORTS) – WEDNESDAY 12 DECEMBER 2012

Item 14B – Health Scrutiny

The Liberal Democrat Group requested that this item should be discussed because it was vital that the Overview and Scrutiny Committee fully understood the implications of Health Scrutiny.

Councillor Gifford endorsed the recommendations and advised that this would be a complicated process. He felt it was important that the Council was ahead of the game but accepted that Health Scrutiny was a massive task. Some discussion was held regarding the possibility of moving away from a sub-committee of Overview and Scrutiny and having a standalone Health Scrutiny Committee. Members felt it was important to retain the knowledge of Members whose background lay in Health or Scrutiny independently.

Therefore, the Committee supported the recommendations in the report and was mindful that this would be a large undertaking for the Council.

(The meeting finished at 9.15 pm)