

Overview and Scrutiny Committee

Thursday, 6th June, 2019

MINUTES

Present:

Councillor Joe Baker (Chair), Councillor Debbie Chance (Vice-Chair) and Councillors Salman Akbar, Joanne Beecham, Michael Chalk, Peter Fleming, Andrew Fry, Mark Shurmer and Jennifer Wheeler

Officers:

Derek Allen, Sue Hanley and Steve Shammon

Democratic Services Officers:

J Bayley and F Mughal

1. APOLOGIES AND NAMED SUBSTITUTES

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

3. MINUTES OF THE MEETING HELD ON 21 MARCH 2019

The minutes of the Overview and Scrutiny Committee meeting held on 21st March, 2019 were submitted for Members' consideration.

RESOLVED that

the minutes of the Overview and Scrutiny Committee meeting held on 21st March, 2019 be approved as a correct record and signed by the Chair.

4. PUBLIC SPEAKING

Members were reminded that at the last meeting of the Committee, Members had agreed that public speaking should be permitted. A

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Chair

maximum of 15 minutes had been allocated to public speaking and each resident would be permitted to speak for three minutes. Residents were required to register to speak by 12 noon on the day of the meeting.

Members noted that on this occasion there were no public speakers registered.

5. PRIVATE SECTOR HOME REPAIR ASSISTANCE POLICY - PRE-SCRUTINY

The Strategic Housing Manager and Private Sector Housing Team Leader presented the Private Sector Housing Assistance report for Members' consideration, which proposed an update of the current policy.

The Strategic Housing Manager informed Members that the policy had been updated in line with recommendations from an internal Audit that was conducted during 2017/2018; which highlighted that the existing policy needed to be updated in order to reflect changes around the loan limits, which was set at £10,000 per applicant, and local land charges to mitigate any risks.

The policy was aligned with Bromsgrove District Council's and Worcestershire County Council's policies. Although it was recognised that the Councils were not the same it was deemed to be best practise as a whole to adopt the same policy across local authorities in the same area.

Following the presentation of the report Members discussed the proposed changes to the policy in some detail and highlighted a number of points:

- The grant would potentially help those who needed adaptations to their homes to make it suitable for a disabled person.
- Members raised concerns about delays to work previously delivered in the Borough. The Private Sector Housing Team Leader explained that sometimes delays occurred when referrals were not submitted to the operational service in a timely manner. These issues had now been resolved nonetheless.
- Customers applying for minor adaptations could apply for the Discretionary Disabled Facilities Grant.

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- The policy was not required to align with neighboring authorities, however, the government encouraged authorities to work in partnership.
- The policy was positive as this offered a wider range of assistance to people with disabilities and would potentially benefit the local community.
- Members noted the grant had been underspent in previous years and there was a possibility that people were not aware that this grant was available. Members were informed that there was better engagement with partner organisations, such as Fire Services and hospitals to make people aware of the grant.

Members welcomed the policy, recognising that better communication was needed in order to make the public aware that they could potentially apply for a Disability Facility Grant from the Council for adaptations in their homes.

RECOMMENDED that

Officers explore options to communicate the availability of Disabled Facility Grants to the public.

6. SCOPING DOCUMENT - REVIEW OF PARKING ENFORCEMENT CONTRACT

Members gave consideration to a scrutiny proposal form which proposed a review of the Council's parking enforcement contract. Members were asked to consider whether this would be a suitable topic for further scrutiny.

The suggestion to undertake this review had been put forward by Councillor Mark Shurmer. It was reported that during the Audit, Governance and Standards Committee meeting in April, 2019, Members had raised concerns with regards to the Council's parking enforcement arrangements, in particular, dangerous and illegal parking around schools and hospitals.

Furthermore, Members had suggested that it was not clear to the public which organisations had the power to deal with parking violations.

Members suggested that whilst undertaking the review it might be practical to look at the statistics of how many parking tickets were being issued, including any cancelled tickets.

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The proposed review was welcomed by the Committee. Members noted that the focus of this investigation should be to try and understand the problems with regard to parking issues in Redditch and how to address these issues working together with partner agencies.

During consideration of this item the Committee was advised that relevant Officers had been consulted about the proposed review in line with standard practice. Officers had reported that should the review take place Members would need to engage with both Wychavon District Council, which provided a parking enforcement service on behalf of the Council, and Worcestershire County Council in respect of the legal agreement which shaped what the Council could do.

The Chair asked for expressions of interest from members to Chair the Task Group. It was agreed that Councillor Mark Shurmer be appointed as Chair of the task group.

RESOLVED that

- a) **the proposed Task Group in respect of Council's Parking Enforcement Contract be launched; and**
- b) **Councillor Mark Shurmer be appointed Chair of the Council's Parking Enforcement Contract Task Group.**

7. OVERVIEW AND SCRUTINY TRAINING EVENT - FEEDBACK

The Senior Democratic Services Officer (Redditch) provided an update in relation to the Overview and Scrutiny training which took place on 29th May, 2019. Members were informed that eight Members had attended the training.

The Committee considered the outcomes of the event and the potential items for scrutiny that had been identified during the training. In addition, Members had considered topics suggested by the Corporate Management Team (CMT) for potential reviews during the training.

The Chair suggested that Members should review the document and whether they felt the items that had been identified were suitable for scrutiny. Members agreed that any suggestions should be brought back to the next meeting of the Overview and Scrutiny Committee in July 2019 for consideration.

RESOLVED that

the outcomes of the Overview and Scrutiny training held on 29th May 2019 should be reconsidered at the meeting of the Committee due to be held on 4th July 2019.

8. OVERVIEW AND SCRUTINY - SELECT COMMITTEE FINDINGS AND NEW GOVERNMENT GUIDANCE

Members considered the Overview and Scrutiny Guidance published by the Ministry of Housing, Communities and Local Government in May 2019. The Senior Democratic Services Officer (Redditch) explained that this was statutory guidance. Whilst the guidance did not change the legal position in respect of Overview and Scrutiny and it was recognised that there needed to be flexibility to meet local needs, Councils had to give due regard to the content of the guidance.

Members were advised that many of the points raised in the guidance already featured as part of the overview and scrutiny arrangements in place in Redditch. However, there were some areas where the guidance differed from local practice. In particular the following points detailed in the guidance were highlighted for Members' consideration:

- The potential for the Chairs of Overview and Scrutiny Committees to be elected through a secret ballot of Members. In Redditch the Chair of the Overview and Scrutiny Committee could not be a member of the majority group and s/he was currently appointed at the annual meeting of Council.
- The suggestion that there needed to be early and regular engagement between Overview and Scrutiny and the Executive. The Chair of the Overview and Scrutiny Committee advised that he was in regular contact with the Leader of the Council on an informal basis about the work of Overview and Scrutiny Members and the implications for the Council. It was noted that at other Councils a more formal arrangement was in place, whereby meetings between the Leader and Chair of the Overview and Scrutiny Committee were built into the Council's constitution and this was something that Members could consider introducing in Redditch.
- Managing the potential for disagreement between the Executive and Overview and Scrutiny and the possibility of introducing an Executive-Scrutiny protocol to facilitate this process. Officers advised that the Council did not have this

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type of protocol at present. Some concerns were raised that a protocol could make the working relationship between Overview and Scrutiny and Executive Committee members too formal and might undermine the potential for Members to work flexibly.

- Communicating the work of Overview and Scrutiny to the public. Members noted that there had been some challenges in terms of promoting the work of scrutiny Members to the public. The press no longer attended meetings of the Overview and Scrutiny Committee regularly and therefore alternative arrangements for communicating the Committee's work to the public needed to be explored. It was suggested that the Council's Communications Team might be able to provide helpful advice in respect of this matter.
- Addressing the potential for conflicts of interest to arise in terms of members of the Overview and Scrutiny Committee, including the Chair, scrutinising decisions by members of their family on the Executive Committee. The Committee was advised that the Council's constitution at present did not include any references to family links and requirements of Overview and Scrutiny Committee membership. The Council was relatively small, in terms of the number of Councillors, and it was important to note that decisions were taken by the Executive Committee collectively, rather than by individual Portfolio Holders.
- The Executive Committee's responsibility to inform Overview and Scrutiny Committees in writing when deciding to turn down a request from scrutiny Members for information. Officers advised that in general information was provided to scrutiny Members where requested for an investigation and there was not the problem reportedly in place at some other local authorities, whereby scrutiny requests for information were treated as a Freedom of Information request. However, it was noted that in exceptional circumstances the Executive Committee might feel that it was not possible to provide the information requested and members of the Executive Committee needed to be aware that they would have to set out in writing the reasons for turning down this request.

Members noted that in some cases changes to local practice in response to the guidance would require corresponding changes to the Council's constitution. It was therefore possible that the Overview and Scrutiny Committee would need to make recommendations on to the Constitutional Review Working Party (CRWP).

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Due to the complexity of the subject, and to ensure that the appropriate approach to scrutiny was adopted for Redditch, Members requested that the guidance should be brought back to the next meeting of the Overview and Scrutiny Committee in July 2019, for further consideration. A request was made for the key areas where the guidance diverged from local practice to be highlighted in the report to Members.

RESOLVED that

the Overview and Scrutiny Guidance be considered at the next meeting of the Overview and Scrutiny Committee in July, 2019.

9. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME - SELECTING ITEMS FOR SCRUTINY

The Overview and Scrutiny Committee considered the minutes of the Executive Committee meeting held on 26th March, 2019 and the Executive Committee's Work Programme for the period 1st July to 31st October 2019.

During consideration of the latest edition of the Executive Committee's Work Programme, Members agreed to pre-scrutinise the following items:

- Disposal of HRA Asset at Green Lane, Studley;
- Redditch Council Plan;
- Homes England Asset Transfer; and
- National Waste Strategy, Implications for the Council.

Members were advised that all finance related matters would be considered by the Budget Scrutiny Working Group.

RESOLVED that

- 1) the minutes of the Executive Committee meeting held on 26th March, 2019 be noted;**
- 2) the Executive Committee's Work Programme from 1st July to 31st October, 2019, be noted; and**
- 3) the items detailed in the preamble above should be included on the Overview and Scrutiny Committee's Work Programme for pre-scrutiny.**

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10. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Senior Democratic Services Officer (Redditch) presented the Overview and Scrutiny Committee's Work Programme and in doing so informed the Committee that the additional items discussed earlier in the meeting would be incorporated to the work programme.

RESOLVED that

- a) **the Overview and Scrutiny Committee's Work Programme be noted; and**
- b) **the Overview and Scrutiny Committee's Work Programme be amended to include the additional items identified earlier in the meeting.**

11. TASK GROUPS, SHORT SHARP REVIEWS AND WORKING GROUPS - UPDATE

Budget Scrutiny Working Group – Chair, Councillor Wheeler

Councillor Wheeler advised the Committee that dates for meetings of this group had been identified, however, these had to be rearranged to take place in the evenings to ensure that all Members' of this group were available to attend.

Performance Scrutiny Working Group

Members agreed that Councillor Fry should Chair this group. Councillor Fry advised the Committee that the meetings of the Performance Scrutiny Working Group had already been booked until the end of year.

RESOLVED that

Councillor Andrew Fry be appointed Chair of the Performance Scrutiny Working Group for the ensuing municipal year.

12. EXTERNAL SCRUTINY BODIES - UPDATE

Councillor Chalk advised that there were no updates to be provided in respect of the West Midlands Combined Authority Overview and Scrutiny Committee and the Worcestershire Health Overview and Scrutiny Committee.

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The Meeting commenced at 6.30 pm
and closed at 7.36 pm