

# Overview and Scrutiny Committee

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Tuesday, 13th August, 2013

## MINUTES

### Present:

Councillor David Bush (Chair), Councillor Gay Hopkins (Vice-Chair) and Councillors Simon Chalk, Andrew Fry, Carole Gandy, Alan Mason, Yvonne Smith and Pat Witherspoon

### Also Present:

Councillors Brandon Clayton and Derek Taylor

### Officers:

D Hancox, S Hanley, A Haslam, A Scarce and J Staniland

### Democratic Services Officers:

J Bayley and M Craggs

### 32. APOLOGIES AND NAMED SUBSTITUTES

There were no apologies for absence.

### 33. DECLARATIONS OF INTEREST AND OF PARTY WHIP

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

### 34. MINUTES

The Chair informed Members that a slight amendment had been made to the minutes since the publication of the agenda pack; the start and end times for the meeting, which had been missing due to a computer error, had been added to the final version.

### RESOLVED that

**the minutes of the meeting of the Overview and Scrutiny Committee held on 23rd July 2013 be approved as a true and correct record and signed by the Chair.**

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Chair

## 35. COUNCIL PROCUREMENT ARRANGEMENTS

The Committee received a report detailing the Council's approach to procuring peripheral items including stationery, refreshments, ink cartridges and toners for printers.

Members were advised that the Council had a contract with an external company for the maintenance and provision of printers. Officers confirmed that the Council's printing contract did not cover the cost of procuring paper. The Council procured paper through a separate contract. Under the terms of this contract the Council spent 0.5 pence per sheet of paper.

Members concluded that based on the content of the report there was limited potential to make savings on the procurement of peripheral items by the Council. Further scrutiny work of potential budgetary savings could be undertaken, at Members' request, but would need to focus on a wider group of services to enable Members to bring forward constructive recommendations on the subject.

### **RESOLVED that**

**the report be noted.**

## 36. SECTION 106 ARRANGEMENTS

The Committee received a presentation on the subject of Section 106 Agreements (Appendix A). During consideration of this item the following points were discussed.

- In Redditch funds derived from Section 106 Agreements had generally been allocated to affordable housing, education and open space maintenance.
- One of the key considerations for Officers when negotiating a Section 106 agreement or CIL arrangement was the viability of the proposed project(s). In some cases particular projects had to be prioritised to ensure that the agreed projects would be viable.
- From 2014, or the date when the CIL charging schedule was adopted in Redditch, the Council would no longer be able to pool more than five Section 106 contributions towards one infrastructure project.
- Elected Members could get involved in discussions about Section 106 arrangements for large developments in their wards.

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- Members required pre-application training to become actively involved in the Section 106 process for a particular development, though Members who had not been trained could submit written comments for Officers' consideration.
- The involvement of Members in work on Section 106 agreements was welcomed by the Council, particularly as Officers recognised that Members would have valuable local knowledge about the potential impact of a proposed development on the area.
- Officers were asked to investigate the possibility of providing Members with prior notice about developments that could require a Section 106 Agreement and / or CIL arrangement.
- The support, including finances and resources, required to support the Community Infrastructure Levy (CIL) was debated. Concerns were expressed that these costs could be relatively high and might have a negative impact on developer companies that were already experiencing financial pressures.
- Officers explained that CIL agreements would be essential for new developments as it would help to fund infrastructure requirements for the residents who would live in that development.
- The potential for the Council to influence Section 106 and CIL arrangements involving cross boundary development was also debated. Officers explained that cross boundary developments were complex as they needed to meet the housing needs in one local authority area though the decision about the development would be made by Councillors representing a different local authority. In these circumstances Officers would aim to develop a protocol between the two Councils.
- There was no set guidance dictating the size of developments which would be subject to a Section 106 agreement. However, Section 106 agreements were more likely to be applied to larger developments due to the potential impact on local infrastructure.
- In future years it was likely that the Council would negotiate a mixture of Section 106 agreements and CIL arrangements for some large developments.
- The potential for CIL money to be paid up front by developers was debated. On the one hand it was suggested that this would help to ensure that appropriate funding was provided to invest in infrastructure for a development regardless of whether the developer subsequently went out of business. On the other hand Members noted that some developers might struggle to pay CIL funding prior to recouping funds through house sales.

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- Concerns were expressed about cases where developers, for a variety of reasons, had not provided funding requested in a Section 106 agreement. In these circumstances residents in the new developments could struggle to secure necessary infrastructure.
- Section 38 Agreements with Worcestershire County Council were used when organising for roads in new developments to become adopted public highways. A bond needed to be paid by the developer as part of a Section 38 Agreement. This bond could then be utilised to fund the adoption of roads regardless of whether the developer subsequently went out of business.
- There would need to be appropriate monitoring to manage CIL agreements once the process was actively applied in Redditch. It was possible that this monitoring role would be assumed by the Council's existing Section 106 Officer working group.

**RESOLVED that**

**the report be noted.**

## **37. TASK GROUP REVIEWS - DRAFT SCOPING DOCUMENTS**

The Committee had received scoping documents containing the draft terms of reference for two proposed reviews. The following points were raised during consideration of these items:

a) Landscaping Review – Proposed by Councillor Gay Hopkins

Councillor Hopkins advised the Committee that she had been intending to present the proposed terms of reference for a review of the Council's Landscaping Services. However, she had recently received information from Officers pertaining to the proposed review which required further discussion. For this reason she requested that consideration of the proposal should be deferred until the following meeting of the Committee.

b) Voluntary Sector Review - Proposed by Councillor Witherspoon

Councillor Witherspoon presented the terms of reference for the proposed review of the Voluntary Sector for Members' consideration. She explained that, whilst a Task Group would receive an overview of the Council's grants process, the focus

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of the review would be on the support provided by the Council and partner organisations to local voluntary and community sector groups and the additional support that might be required by those groups.

During discussion of this item a couple of amendments were suggested to the terms of reference for the review. In the first place, it was noted that, as the Council's Concessionary Rents Policy had only recently been approved by the Council, it might be premature to review the impact of the policy on local Voluntary Sector organisations. Instead, Members agreed that it might be more appropriate at this time for a Task Group to receive an overview of the policy in order to appreciate the implications of this procedure for the sector.

The most suitable approach to consulting with representatives of the Voluntary Sector was also debated. Members recognised that, due to the focus of the review, it would be appropriate for Members to engage with representatives of the Voluntary Sector as part of the review. However, Officers suggested that it might be more appropriate to engage representatives of the sector through a variety of consultation methods rather than just by interview as had been proposed in the terms of reference.

Members noted that nominations to the Task Group would be confirmed at the following meeting of the Committee. Whilst all interested Members were encouraged to express an interest in the review the Chair noted that members of the Grants Panel were being advised that it would not be appropriate for them to serve on this review due to the potential for a conflict of interest to arise.

Members concluded this item by noting that three Task Group exercises had been approved for the year: the Abbey Stadium Task Group; the Joint Worcestershire Regulatory Services (WRS) Task Group and the Voluntary Sector Task Group. Officers were scheduled to provide support to all three of these reviews and would only have capacity left to support one further Task Group alongside the main Committee. Members concluded that for the rest of the year the Committee would therefore need to ensure that appropriate work was prioritised in order to make the best use of available resources.

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## RESOLVED that

- 1) the terms of reference for the proposed review of the Council's Landscaping Services be considered at the meeting of the Committee on 10th September 2013;
- 2) subject to the amendments detailed in the preamble above, the terms of reference for the proposed Task Group review of the Voluntary Sector be approved;
- 3) Councillor Witherspoon be appointed to Chair the Voluntary Sector Task Group; and
- 4) further nominations to the Voluntary Sector Task Group be confirmed at the following meeting of the Committee.

## 38. SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME

### RESOLVED that

the latest edition of the Executive Committee's Work Programme be noted.

## 39. WORK PROGRAMME

Members discussed the content of the Committee's Work Programme. During consideration of this item the following issues were raised:

- The proposed review of landscaping would be resubmitted for Members' consideration at the following meeting of the Committee.
- A report on the subject of land maintained by both Redditch Borough Council and Worcestershire County Council was due to be considered at the meeting of the Committee in September 2013. Members requested that Officers investigate the potential for information about maintenance arrangements for land owned by absent private landlords to be included in this report.
- The Chair noted that at the previous meeting of the Committee Members had been advised that table tennis facilities would be installed in Morton Stanley Park by the end of July 2013. However, during a recent visit to the Park no table tennis facilities had been observed in the park. Members therefore requested that a further update with regard to work on the installation of the table tennis facility be provided for Members' consideration.

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**RESOLVED that**

**subject to the amendments detailed in the preamble above the Committee's Work Programme be noted.**

**40. APPOINTMENT OF THE MEMBERS OF THE ABBEY STADIUM TASK GROUP REVIEW**

The Committee was advised that Councillors Andrew Fry, Carole Gandy, Alan Mason and Derek Taylor had been nominated to sit on the Abbey Stadium Task Group.

**RESOLVED that**

- 1) Councillor Gandy be appointed to Chair the Task Group; and**
- 2) Councillors Fry, Gandy, Mason and Derek Taylor be appointed to the Abbey Stadium Task Group.**

**41. TASK GROUPS - PROGRESS REPORTS**

Members were advised that the first meeting of the Joint WRS Task Group would be taking place on either Monday 23rd September or Thursday 26th September 2013.

During consideration of this item reference was made to the implementation of recommendations that had been made by the Market Review Task Group. On the basis of these discussions the Committee agreed that further information about the process for monitoring the implementation of Overview and Scrutiny recommendations would be useful.

**RESOLVED that**

- 1) an item be added to the Committee's agenda for the meeting of the Committee on 10th September 2013 to discuss the Council's approach to monitoring the implementation of Overview and Scrutiny recommendations; and**
- 2) the progress report on current Task Group reviews be noted.**

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## 42. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Members were advised that there had been no further meetings of the Worcestershire Health Overview and Scrutiny Committee since July 2013.

The Meeting commenced at 7.02 pm  
and closed at 8.00 pm