



Overview and Scrutiny Committee

Monday, 13th January, 2025

MINUTES

Present:

Councillor Matthew Dormer (Chair), and Councillors William Boyd, Andrew Fry, Joanna Kane, Sachin Mathur, Rita Rogers, Paul Wren and Brandon Clayton

Also Present:

Councillor Joe Baker – Leader of the Council
Councillor Sharon Harvey – Deputy Leader of the Council
Councillor Juliet Barker-Smith – Portfolio Holder for Leisure
Councillor Bill Hartnett – Portfolio Holder for Housing
Councillor Jane Spilsbury – Portfolio Holder for Performance

Officers:

Guy Revans, Ruth Bamford, Simon Parry, Matthew Austin, Ishrat Karimi-Fini, Andrew Rainbow and Darren Whitney

Democratic Services Officers:

M Sliwinski

57. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received from Councillors Munro and Warhurst. Councillor Clayton was in attendance at the meeting as a named substitute for Councillor Warhurst.

58. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of party whip.

59. MINUTES

It was requested that the following addition (shown in italics below) be made to the minutes record (Minute No. 56) to correct an inaccuracy, as follows: “A further meeting of WMCA Overview and

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Scrutiny Committee took place earlier today (25th November) and it was reported that the only item on the agenda *that was of relevance to Redditch Borough Council* was homelessness / rough sleeping.

It was agreed by the Committee that, subject to this correction, the minutes of the meeting of Overview and Scrutiny Committee of 25th November 2024 be approved as a correct record.

RESOLVED that

the Minutes of the Overview and Scrutiny Committee meeting held on 25th November 2024 be approved as a true record and signed by the Chair, subject to the correction as stated in the preamble above.

60. PUBLIC SPEAKING

There were no public speakers who registered to speak at this meeting.

61. INDEPENDENT REMUNERATION PANEL RECOMMENDATIONS - PRE-SCRUTINY

The Independent Remuneration Panel (IRP) report in respect of recommendations for Members' allowances for 2025-26 was presented. It was noted that the Council was required to consider the recommendations of the Panel, however, it was not obliged to agree with them. The Council could choose to implement the Panel's recommendations in full or in part, or not to accept them.

It was noted that the IRP had recommended a basic allowance of £5,826 which represented a 5.58 per cent increase from its recommendation last year. However, since the Council did not accept last year's IRP recommendation concerning the basic allowance, the current proposal to the basic allowance would represent a 19.6 per cent increase, if approved.

During Members' discussion, it was noted that over the past 6-7 years there were some years when the Council had chosen not to increase the basic allowance in line with IRPs recommendation. And this year, as the IRP recommendation was not accepted last year, the percentage gap between the level of basic allowance set and the IRP recommendation for the next year had become larger.

In reference to paragraph 3.5 of the report, it was explained that the figures for the basic allowance were agreed after the budget for

2024-25 (current budget) was made, thus reflecting the budget shortfall at that time. However, any increases to the basic allowance and/or to the Special Responsibility Allowances (SRAs), should they be agreed, would be accounted for in the next year's budget.

Some Members commented that it might be appropriate to raise the basic allowance in line with IRPs recommendations in order to make the elected member role more appealing and open to groups such as younger adults. The Leader of the Council was invited to address the Committee and commented that he was in favour of an increase to the basic allowance but thought that there should be no rise to the SRAs. The Leader further noted that any increase to the basic allowance should not be at a level of 19.6 per cent but rather a significantly lower percentage increase.

During consideration of the item, a recommendation was proposed in respect of this item by Councillor Andy Fry to the effect that the basic allowance and Special Responsibility Allowances (SRAs) should be increased approximately in line with the rate of inflation at the time of the Council making a decision on this matter for 2025-26. This recommendation was seconded by Councillor Joanna Kane. On being put to the vote, this recommendation was carried.

RECOMMENDED that

the basic allowance and the special responsibility allowances (SRAs) should be increased by approximately the rate of inflation.

62. DAMP AND MOULD ADDITIONAL RESOURCES - PRE-SCRUTINY

The report was presented in respect of the additional resources proposed for the Council to deal with damp and mould issues in its capacity as a social housing provider.

It was noted that the Government had made major changes to the law on damp and mould and primary legislation had been enacted through the Social Housing (Regulation) Act 2023. However, further details of the exact scope of the new regime in respect of this issue would only become clear once secondary legislation had been introduced and this had been delayed. It was possible that the final version of Awaab's Law would be wider than the original expectation and could cover other housing health hazards in addition to damp and mould.

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The Council's Housing Property Services had made significant efforts to minimise the problem of damp and mould in council homes over the last few years acting with the limited resources available. However, in light of the new legislation, the Council did not have sufficient resources to further improve its delivery of repair services and ensure action was compliant with the appropriate timescales set out in legislation. Accordingly, the report proposed that a dedicated "Damp and Mould" team be established to address the prevalent issue of mould and dampness in council homes and to ensure that the council could meet the challenging timescales to investigate and remedy issues that had been set out in Awaab's Law.

With reference to the data that from 1st April 2023 to 31st March 2024 the Council received reports of damp and mould in respect of 373 social housing properties. It was clarified that this was a figure for the number of reports received in that year rather than an overall figure for the number of council homes in Redditch that could be affected by damp and mould. It was further clarified that damp and mould issues could develop in any property and at any time: it was therefore imperative that resources were available to deal with any reports of damp and mould that are received on an ongoing basis.

It was highlighted that the Council needed to react to any reports of damp and mould in line with the timescales set out in Awaab's Law. For example, for any investigation where there was reported hazard which poses a significant risk to the health or safety of the resident, the registered social housing provider must begin repair works within 7 calendar days of the written summary being issued. There was a high risk of penalties from the regulator if the timescales set out in the legislation were not met. This also justified the requirement for extra resources and a dedicated 'Damp and Mould' team.

A Member queried how properties with damp and mould problems were currently being identified by the Council given lack of inspector capacity. It was responded that at present there were surveyors within the capital programmes team who could undertake this work. However, more officer capacity was required to deal with demand, also resulting from legislative requirements. To cover the Borough, it was estimated that four full-time officers undertaking inspection and health and safety duties would be required.

With respect to when the appropriate secondary legislation is due to come into effect, it was responded that this was currently unknown but the creation of a dedicated 'Damp and Mould' Team would

ensure that the Council could meet its duties in anticipation of this legislation and that it addressed what was a continuing issue.

The Portfolio Holder for Housing was invited to comment and in doing so he welcomed the report and emphasised that the costs associated with establishing a dedicated damp and mould team would only likely be a small part of the total costs that would need to be invested into the issue. The Portfolio Holder commented that measures proposed in the report before Members would, in the longer term, provide a financial saving to the authority and provide the Council with better ability to respond to reports of damp and mould.

The recommendations as contained in the report as submitted were endorsed.

RECOMMENDED that:

- 1) Subject to the approval of recommendation 2, Members approve the contents of the Damp and Mould Business Case and the establishment of a Damp and Mould Team.**
- 2) £115,770 be released from the HRA budget for the financial year 2024/25 to cover the costs of the new team and that thereafter the costs summarized at paragraph 4.3 of the report of £463,078 be met from the HRA budget.**

63. REDDITCH BOROUGH PLAY AUDIT AND INVESTMENT STRATEGY - UPDATE REPORT

An update on progress in implementing the play audit and investment strategy proposals was provided to the Committee. Members were informed that the Play Audit and Investment Strategy was adopted on 9th January 2024, following consideration by both the Overview and Scrutiny and Executive Committees.

It was recalled that the play audit was commissioned in 2023-24 and provided a number of key recommendations in respect of the play area provision in the Borough. Consultation with ward members and the local community was planned for early 2025 in relation to plans for a new play area at Abbey Fields (Terrys Fields Abbeydale), and about proposals for removal of play sites at Dolphin Road and Dale Road, earmarked for removal in 2026-27. The consultation for all three sites would take place at the same time and would enable officers to further understand the local need.

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It was clarified that the consultation had not been launched yet and all ward members for these sites would be contacted regarding this consultation within the next couple of months.

There would be further consultations planned for this financial year with regard to play areas at Throckmorton, Banners Lane, and Lodge Pool Drive (consultation with ward members and community about the type of equipment / options by a contractor). In addition, there would be consultation for Greenland's Playing Fields to understand the local need. Play area refurbishment work to be carried out in the 2025-26 financial year would include Cardington Close, Lowlands Lane, Springvale Road play areas, in addition to repairs and maintenance work at Forge Mill play area.

Officers explained that in relation to play areas there were two types of consultation. Where there was a change proposed to an existing play area, the consultation would describe what type of equipment could be put in that play area and ask local residents for their views. This type of consultation would take place after a contractor had been procured to undertake the work, with the outcome of the consultation determining precise play equipment to be installed. The second type of consultation was where there was a proposal for reconfiguration of play areas such as play area creation or removal. In this case, the process began with the Portfolio Holder for Leisure about approach to be taken before any proposals for consultation were released.

Once the report had been presented, Members discussed the following points in detail:

- Management of play areas on private roads and under private management – It was confirmed that for private play areas, residents should direct queries to the management company that managed their play area.
- Maintaining play areas for use by older children and teenagers – The Officers responded that Council's policy was that play areas should be sociable for children of all ages, which included providing space for teenagers to congregate in groups. However, graffiti was not allowed and was monitored by the Council. It was added that there was a play area inspector who visited play area sites on a regular basis to undertake checks on safety of equipment. In addition, visual checks were carried out by staff from Parks and Environmental Services teams.
- Importance of area's health factors when assessing suitable locations for play areas – It was noted that as part of the play

audit, the approach to determining appropriate provision was through Redditch Play Accessibility Model which classified outdoor play spaces as local or neighbourhood level provision and defined targets for accessibility of this provision – i.e. walking distance from home to the play area. The play assessment and investment strategy attached set out an approach that would increase the accessibility of play provision across the Borough. In addition, the document took account of factors such as children and adolescent obesity in an area and general health deprivation when considering locations.

- Localities where play equipment needed replacing – Members considered some play areas where concerns had been raised about the standard of the play areas. This included play areas in Matchborough ward – Eathorpe Close, which was due for removal in 2026-27 financial year and Matchborough Rocks.

The Portfolio Holder for Leisure was invited to address the Committee and in doing so took the opportunity to thank the officers for their work in preparing a detailed play investment strategy and for providing this progress update. The Portfolio Holder welcomed the scrutiny of this area by Overview and Scrutiny and noted that this item provided an opportunity to review the strategy for its continuing relevance. The Portfolio Holder for Leisure stated that consultation with residents and elected members would continue to be of paramount importance when deciding on any changes to play area provision.

RESOLVED that

the update to the Redditch Play Assessment at Appendix 1 (June 2023) and the Redditch Investment Strategy at Appendix 2 (December 2023), which is provided as Redditch Play Investment update at Appendix 3 (December 2024), be noted.

64. FOOD WASTE BUSINESS CASE AND ASSOCIATED WASTE RELATED ISSUES - PRE-SCRUTINY

The report concerning the introduction of a food waste collection service was presented. It was noted that the Government had set a new statutory duty under the Environment Act 2021 to introduce a dedicated separate weekly collection of food waste from all households by 31st March 2026.

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Confirmation had not yet been provided on the new burdens funding that would be made available by the Government to the authority to help cover the costs of delivering this service. Following modelling, the indicative cost of operating a food waste collection service across Redditch was anticipated to be at just over £500,000 (not including additional expenditure on infrastructure). It was recommended that the Council allocate £500,000 revenue funding as an operational budget from 2026/27 financial year to ensure the cover of operational costs.

It was noted that the Council was due to receive more information on transitional funding for the food waste service within the next months. It was added that the Council recently had confirmation that it would receive £814,000 of Extended Producer Responsibility (EPR) funding. As this funding was not ringfenced, it was suggested that this could be utilised should there be a shortfall to operate the food waste service. In response to a Member question, it was noted that the receipt of EPR funding would be unrelated to timings for when the Council had to invest in the service, therefore, the Council had to have funds to cover these costs upfront.

At a local level, there were space issues at the depot in relation to accommodating vehicles for the delivery of a food waste collection service. These vehicles could not be accommodated alongside the existing fleet. Officers had concluded that it would not be viable to purchase more land to accommodate the additional vehicles, so this was not considered to be a suitable option for the Council at this time.

Taking into account existing pressures and uncertainties, Officers were proposing that the Council should procure the food waste collection service through a private sector company. Ideally, the Council would have aimed to deliver the service inhouse, but this was not considered to be feasible at this stage. The proposal was to procure the service for a period of up to eight years.

To maximise interest in this opportunity within the private sector, Redditch Borough Council would aim to procure this service jointly with Bromsgrove District Council and Wyre Forest District Council. There was no guarantee that the procurement exercise would be successful. However, if the procurement process was unsuccessful, the Council could report back to the Department of Environment, Food and Rural Affairs (DEFRA) highlighting the issues that had been experienced and a request could then be submitted to extend the deadline for the introduction of the service in the Borough.

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Following the presentation of the report, Members discussed the following matters in detail:

- The forthcoming deadline, in spring 2026, for Councils to introduce a food waste collection service and the implications of possible non-compliance. Members were advised that as long as the Council had a clear plan in place the authority would likely not be seen as failing in terms of compliance.
- The extent to which the Council would be able to meet the Government's deadline to introduce the food waste collection service if this was not outsourced to the private sector. Officers confirmed that the Council was unlikely to meet the deadline if a decision was taken to deliver this service inhouse at this stage.
- The reasons why the Council had opted for an eight-year length for the proposed contract. Members were advised that this would help to affray the financial costs involved. For a shorter contract, a private sector company was likely to require the same financial investment from the authority but over a shorter period of time and this could be difficult for the Council to manage. In addition, it was highlighted that a typical lifespan of food collection vehicles was eight years.
- The procurement of caddies for the food waste service. It was noted that options were being considered in terms of whether the cost of procuring the caddies should be incorporated into the contract with the third party provider or purchased by the Council directly. It was proposed that each household should receive two caddies, one kitchen caddy for residents to put their food waste into, and a second large caddy to put out by the curbside on food waste collection days. It was currently uncertain whether bin liners would be provided inside the caddy.
- Frequency of household waste collections under the new regulations. An example of Stratford District Council was provided which had weekly food waste collection, fortnightly recycling and garden waste (paid) collections, and a three-weekly black bin collection. At Stratford, there was an app developed to assist residents with understanding on which days they needed to put which bins out for collection. It was stated that this report was only concerned with introduction of food waste service and once the Council had increased the range of waste collections, it would be looking to provide an app to assist residents.

The recommendations as set out in the report were endorsed for onward recommendation to the Executive Committee.

RECOMMENDED that

- 1) Subject to the outcome of negotiations, the introduction of a joint Food Waste Collection Service be approved, working with Bromsgrove District Council and Wyre Forest District Council to deliver the authority's statutory duties under the Environment Act 2021 regarding a Food Waste Collection service;
- 2) Delegated authority be granted to the Assistant Director of Environmental and Housing Property Services following consultation with the Section 151 Officer, the Principal Solicitor (Contracts, Commercial and Procurement) and the Portfolio Holders for Finance and Environmental Services respectively, subject to the agreement of recommendations 1 and 3, to:
 - a) negotiate and agree terms with Bromsgrove District Council and Wyre Forest District Council to enter into a joint tender for a shared food waste collection service;
 - b) tender and award a dedicated weekly food waste collection service through a third party for a period of 8 years commencing no later than 31 March 2026.
- 3) The Council allocate £500,000 Revenue Funding in the Medium-Term Financial Plan as an operational budget from 2026/27 to fund the Food Waste Collection Service in the Borough, as accounted for within tranche 1 of the budget.

65. EXCLUSION OF THE PRESS AND PUBLIC

It was agreed that exclusion of the public and press was not necessary in relation to Minute Item 66. Housing Ombudsman's Findings Report – Pre-Scrutiny, as it was noted that this report no longer considered any exempt information. The meeting remained in public session for its entire duration.

66. HOUSING OMBUDSMAN'S FINDINGS REPORT - PRE-SCRUTINY

The Housing Ombudsman's Findings Report which detailed a finding of maladministration in the Council's response to the

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resident's reports of damp, mould and a ticking noise and the Council's complaint handling.

The Officers present provided sincere apology on behalf of the Council for the circumstances and the failings in this case. It was noted that the Council had reviewed causes of the failing in this case and was taking actions to improve matters. An apology and a compensation had been provided to the affected resident in line with the Housing Ombudsman's decision.

Following this review and the Ombudsman's orders and recommendations to the Council, the Council had been taking a number of actions to ensure improvement in its handling of customer enquiries and complaints, including:

- Creation of a standalone Noise Policy which has regard to best practice and industry standards. A similar production of a standalone Compensation Policy.
- To improve the accuracy of recordkeeping, the central depository (mailbox/letterbox) for housing complaints emails/letters had been set up to ensure information was escalated to senior management.
- Provision of training for relevant staff to ensure that they are equipped to respond to queries from vulnerable residents.
- As referenced earlier in the meeting with reference to the establishment of a damp and mould team, there would be emphasis on the multi-disciplinary teams attending to tenants' properties for repairs to observe for any issues while attending to the jobs.

RECOMMENDED that

- 1) The findings, orders and recommendations from the Housing Ombudsman be noted.**
- 2) Compliance with those matters by the Council and the wider learning points be noted.**

67. TASK GROUPS, SHORT SHARP REVIEWS AND WORKING GROUPS - UPDATE REPORTS

Updates on Task Groups and Working Groups were provided as follows:

- a) Budget Scrutiny Working Group – Chair, Councillor Warhurst

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As Councillor Warhurst submitted his apologies, he did not provide an update.

It was noted that the Budget Scrutiny Working Group met on 9th January 2025 and considered finance reports due to be considered by the Executive Committee on 14th January. The Budget Scrutiny Working Group had endorsed the recommendations contained in the reports it considered: Council Tax Base 2025/26, Final Council Tax Support Scheme 2025/2026; HRA Rent Setting 2025/26, Medium Term Financial Plan – Tranche 1 Budget including Fees and Charges (following consultation).

- b) Performance Scrutiny Working Group – Chair, Councillor Warhurst

As Councillor Warhurst submitted his apologies, there was no update provided.

- c) Fly Tipping and Bulky Waste Task Group – Chair, Councillor Dormer

Councillor Dormer reported that this Group had not met since the last meeting of Overview and Scrutiny Committee.

- d) Post-16 Education Task Group – Chair, Councillor Warhurst

As Councillor Warhurst submitted his apologies, there was no update provided.

RESOLVED that

the Task Groups, Short Sharp Reviews and Working Groups Update Reports be noted.

68. EXTERNAL SCRUTINY BODIES - UPDATE REPORTS

Updates on the meetings of External Scrutiny Bodies were provided by the representatives as follows:

- a) West Midlands Combined Authority (WMCA) Overview and Scrutiny Committee – Council Representative, Councillor Kane

Councillor Kane reported that the West Midlands Combined Authority Overview and Scrutiny Committee had not met since the last meeting of this Committee.

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- b) West Midlands Combined Authority (WMCA) Transport Delivery Overview and Scrutiny – Council Representative, Councillor Munro

As Councillor Munro submitted his apologies, there was no update provided.

- c) Worcestershire Health Overview and Scrutiny Committee (HOSC) – Council Representative, Councillor Munro.

As Councillor Munro submitted his apologies, there was no update provided.

RESOLVED that

the External Scrutiny Bodies updates be noted.

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

The Executive Committee Work Programme was submitted for Members' consideration.

RESOLVED that

the Executive Committee's Work Programme be noted.

70. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Overview and Scrutiny Work Programme was submitted for Members' consideration.

RESOLVED that

the Overview and Scrutiny Work Programme be noted.

The Meeting commenced at 6.30 pm
and closed at 8.11 pm