

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 19 JUNE 2019 FROM 7.00 PM TO 9.50 PM**

Committee Members Present

Councillors: Pauline Helliar-Symons (Chairman), Alison Swaddle (Vice-Chairman), Jenny Cheng, Andy Croy, Richard Dolinski, Paul Fishwick, Sarah Kerr, Abdul Loyes, Ken Miall, Ian Pittock, Malcolm Richards and Rachelle Shepherd-DuBey

Other Councillors Present

Councillors: Emma Hobbs, Lindsay Ferris, John Halsall, John Kaiser, Imogen Shepherd-DuBey and Wayne Smith

Officers Present

Neil Carr, Democratic and Electoral Services Specialist
Robert Curtis, Transport Planning Team Manager
Sarah Hollamby, Director of Customer and Community Services
Emma Pilgrim, Place Clienting

13. ELECTION OF CHAIRMAN

The Committee elected a Chairman for the 2019/20 Municipal Year.

RESOLVED: That Councillor Pauline Helliar-Symons be elected as Chairman of the Committee for the 2019/20 Municipal Year.

14. APOLOGIES

Apologies for absence were submitted from Guy Grandison.

Emma Hobbs attended the meeting as a substitute.

15. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee, held on 29 May 2019, were confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Page 8 – “It was suggested that services should consider reporting on a smaller number of priority indicators, **once this Committee was satisfied with the existing set of KPIs**, with other indicators reported by exception.”

Page 9 – add 5) Member training be provided before the first Overview and Scrutiny meeting in each Municipal Year.

Note: Andy Croy, Paul Fishwick, Sarah Kerr, Ian Pittock and Rachelle Shepherd-Dubey did not agree that the Minutes were a correct record in relation to Minute 9 – 2018/19 Council Plan Performance Monitoring Report.

16. DECLARATION OF INTEREST

There were no declarations of interest.

17. PUBLIC QUESTION TIME

There were no public questions.

18. MEMBER QUESTION TIME

There were no Member questions.

19. FUTURE HOUSING CONSULTATION

The Committee considered a report, set out at Agenda pages 11 to 22, which gave details of the Council proposal for a public consultation on future housing numbers in the Borough.

Councillor John Halsall (Leader of the Council) and Wayne Smith (Executive Member for Planning and Enforcement) attended the meeting to answer Member questions.

The report stated that, at its meeting on 30 May 2019, the Executive had agreed to carry out a public consultation exercise aimed at gauging residents' opinions on the Government imposed housing numbers for the Borough. The consultation would be carried out by sending a postcard or letter to every home in the Borough. Responses could be electronic via a website link or hard copy via freepost. The proposed question was "Do you support the Government imposed housing numbers?"

The report stated that the projected cost of the consultation exercise was £45k-£80k. This reflected the fact that the final cost would depend on the balance between electronic and freepost responses. The consultation was due to start on 24 June 2019 and would run for one month until 24 July.

In the ensuing discussion, Members made the following points:

As the consultation exercise was being held during the summer holiday period when families were likely to be away, was one month a sufficient timeframe? It was confirmed that the one month consultation period was felt to be acceptable as residents were being asked to respond to one simple question.

The cost of the consultation was estimated at £45k to £80k. What was the basis for this estimate? It was confirmed that the final cost of the consultation would be determined by the method of response used by residents. So, for example, if all residents responded electronically the cost would be around £39k. If all residents used the freepost option the cost would be around £100k. The cost estimate assumed a mix of response types.

What level of response to the consultation was expected? It was confirmed that a significant response was expected as residents were being asked to respond to a simple question in contrast to other, more complicated, consultation exercises. Members were encouraged to ensure that the consultation exercise was given a high profile in their wards.

Once the consultation result was in, what would be the next steps? It was confirmed that the consultation feedback would be used to lobby the Government about the proposed housing numbers. If that lobbying was unsuccessful, the Council would consider taking legal action.

Whilst the principle of consultation was agreed, would a petition also help to demonstrate the level of opposition to the proposed housing numbers? It was confirmed that the proposed consultation exercise had the benefit of being addressed to every household in the Borough. It was felt that running a petition at the same time may be confusing for residents.

How would the consultation exercise be publicised across the Borough? It was confirmed that the consultation would feature in the Borough News as well as local print and social media.

Did the National Planning Policy Framework (NPPF) contain any measures which the Council could use to argue its case with the Government? It was confirmed that the NPPF contained a clause relating to a rejection of housing numbers in "special circumstances". This would be explored if the Council decided to take legal action against the Government. To date, there was no case law on this issue.

In light of the Member discussion, it was proposed by Pauline Helliard-Symons that the Committee recommend that the Executive consider extending the future housing consultation deadline for a short period.

On being put to the vote, the proposal was not agreed.

RESOLVED That:

- 1) John Halsall and Wayne Smith be thanked for attending the Meeting to answer Member questions;
- 2) the proposals for the future housing consultation be noted.

20. GRASS CUTTING DELIVERY UPDATE

The Committee considered a report, set out at Agenda pages 23 to 50, which provided an update on the delivery of the grass cutting service in 2019. This followed the Scrutiny review of the service carried out in 2018.

Sarah Hollamby (Director of Customer and Locality Services) and Emma Pilgrim (Place Clienting) attended the meeting to answer Member questions.

The report stated that the Scrutiny review had made a number of recommendations to improve the service which were subsequently accepted by the Council's Executive. An action plan had then been developed in conjunction with the Council's contractor, Tivoli Group Ltd.

The report gave details of progress since the commencement of the planned grass cutting season in mid-March 2019. Officers had worked closely with the contractor to monitor progress and escalate potential issues before they became problematic. As a result, customer complaints were significantly lower year-on-year, with 11 justified complaints received in 2019 compared to 168 in 2018.

In order to keep Members up-to-date on progress weekly updates had been provided since the grass cutting programme commenced. The updates gave details of the areas where grass cutting was taking place and provided links to the system used for reporting issues.

In the ensuing discussion Members raised the following points:

Generally, Members were pleased with the delivery of the service in 2019, with fewer complaints and more positive feedback from residents.

In relation to KPI 6: Justified Complaints – Grass, why had the target increased from 24 complaints to 50 complaints? It was confirmed that the new target was felt to be more realistic and was more of a SMART target.

As a result of the recent wet weather which may be followed by significant grass growth, was the contractor prepared for the potential increase in work required? It was confirmed that regular meetings were held with the contractor to discuss resourcing. Also, contingency plans were in place to deliver additional equipment to meet extra demands on the service.

What was the timeframe for further update reports to the Committee? It was confirmed that a further update was scheduled for the end of the grass cutting season in October 2019. A further update report could also be provided before the start of next year's grass cutting season, in February 2020.

In relation to the wildflower areas across the Borough, there did not appear to be a large number of wildflowers amongst the long grass. Was there a programme for delivering more wild flowers? It was confirmed that discussions were ongoing with the contractor on this issue.

Members noted the environmental benefits arising from the additional long grass/wildflower areas and suggested that Officers hold discussions with Town and Parish Councils on this issue. Members also noted the potential health issues, e.g. hay fever, which could arise out of the introduction of additional long grass areas.

RESOLVED That:

- 1) Sarah Hollamby and Emma Pilgrim be thanked for attending the meeting to answer Member questions;
- 2) further update reports be submitted to the Committee in October 2019 and February 2020;
- 3) Officers be requested to hold discussions with Town and Parish Councils about the location and content of long grass/wildflower areas across the Borough.

21. LOCAL TRANSPORT PLAN PROCESS AND INVITATION FOR COMMENTS

The Committee considered a report, set out at Agenda pages 51 to 56, which gave details of proposals to develop the next Local Transport Plan (LTP4).

Pauline Jorgensen (Executive Member for Highways and Transport), Sarah Hollamby (Director of Customer and Locality Services) and Robert Curtis (Transport Planning Team Manager) attended the meeting to answer Member questions.

The report stated that, for LTP4 to be a success, a wide range of stakeholders should be consulted. This included Members and Town and Parish Councils.

The report set out the proposed process for developing LTP4 and requested feedback from Members on the priorities for transport in the Borough for the plan period (up to 2036). As a starting point, the report set out the five goals included in the current LTP3, viz:

- Highways Goal – delivering a safe, resilient highways network;
- Active Travel Goal – working with partners to promote walking and cycling;
- Public Transport Goal – promoting an integrated and inclusive public travel network;
- Smarter Choices and Demand Management Goal – enabling people to make informed, safe and sustainable travel decisions;
- Strategic Projects Goal – managing demand to ensure access to different destinations whilst minimising the adverse effects of congestion.

Members were requested to submit their views and suggestions via the Council's Transportplanning@wokingham.gov.uk email inbox.

In the ensuing discussion, Members made the following points:

In relation to the proposed timeframe for Member and Town and Parish Council responses, it was felt that the 31 July deadline was too short and should be extended to the end of September 2019. It was confirmed that the deadline would be extended in line with this request.

Would LTP4 include success factors to enable Members to consider progress? It was confirmed that success factors would be included in LTP4. Members requested that data on the outcomes arising from delivery of LTP3 be circulated to Overview and Scrutiny Members in order to provide context for future discussions on LTP4. It was also requested that the data be shared with Town and Parish Councils.

As the Council was due to consider a Motion on Climate Emergency, Members highlighted the need to engage with neighbouring authorities on measures such as improvements to public transport and the reduction of congestion. It was confirmed that engagement with neighbouring authorities would be part of the process for developing LTP4.

Members stressed the importance of ensuring that Climate Emergency measures were central to LTP4. These included walking and cycling infrastructure for example through the development of cycleways which provided links to schools, villages and transport hubs.

The Council had agreed previously to establish a group aimed at generating feedback from local cyclists on cycling provision across the Borough, were there plans to set up such a group? It was confirmed that further consideration would be given to this suggestion.

How did LTP4 link to the Local Plan Update? It was confirmed that the two plans were separate but must have linkages on key issues.

The Wokingham Borough Wellbeing Board had looked at the delivery of cyclepaths as part of the measures impacting on the wellbeing of residents. It was confirmed that wellbeing would be a key consideration of LTP4, for example through the development of the successful My Journey initiative.

RESOLVED That:

- 1) Pauline Jorgensen, Sarah Hollamby and Robert Curtis be thanked for attending the meeting to answer Member questions;

- 2) the process for developing LTP4, as set out in the report, be supported;
- 3) the extended deadline for Member submissions on LTP4 (30 September 2019) be noted;
- 4) performance data on LTP3 be circulated to Overview and Scrutiny Members and Town and Parish Councils;
- 5) further updates on the development of LTP4 be submitted to the Community and Corporate Overview and Scrutiny Committee.

22. GOVERNMENT STATUTORY GUIDANCE ON OVERVIEW AND SCRUTINY

The Committee considered a report, set out at Agenda pages 57 to 92, which gave details of the Government's Statutory Guidance on Overview and Scrutiny.

The Statutory Guidance highlighted the key elements that contributed to effective Overview and Scrutiny including organisational culture, resourcing, effective communication, access to information, public engagement and support for Members.

The report reminded Members that the guidance, published in May 2019, had followed on from the House of Commons Communities and Local Government Select Committee's inquiry into Overview and Scrutiny in 2017. As Statutory Guidance, Councils must have regard to it when exercising their functions. This meant that the Council had to follow the guidance unless there was a good reason not to.

The guidance recognised that every Council had a democratic mandate and was ultimately accountable to the electorate and, also, that each Council was best placed to develop the Scrutiny arrangements that were best suited to its individual circumstances.

In the ensuing discussion, Members made the following points:

Engagement with the Executive – the guidance suggested the development of an Executive-Scrutiny Protocol in order to deal with the practical expectations of Overview and Scrutiny Committee members and the Executive, as well as cultural dynamics. It was confirmed that a draft Protocol would be submitted to the next meeting of the Committee for discussion.

Communicating Scrutiny's roll and purpose – it was confirmed that information about Overview and Scrutiny would be circulated to residents via Wokingham Borough News and local print and social media.

Support for Members – it was confirmed that Scrutiny training for Members was taking place on 26 June 2019. Further training on Budget Scrutiny would take place on 23 July. Information on further training opportunities for Members would be submitted to the next meeting of the Committee.

Election of Chairman – the guidance suggested that Councils consider electing Scrutiny Chairmen by secret ballot. It was confirmed that this issue was due to be considered by the Constitution Review Working Group at its meeting in July 2019.

Deputy Executive Members – the guidance stated that Members holding less formal Executive positions (e.g. Deputy Executive Members) should not sit on Scrutiny Committees looking at their portfolios.

In light of the Statutory Guidance, it was proposed by Pauline Helliard-Symons that Deputy Executive Members do not sit on the Overview and Scrutiny Management Committee or any other Overview and Scrutiny Committee which related to their portfolio.

On being put to the vote the proposal was agreed.

Overview and Scrutiny Work Programmes – due to the current Overview and Scrutiny workload Members suggested that consideration be given to the creation of an additional Committee, for example by splitting the Community and Corporate Overview and Scrutiny Committee into its constituent parts. It was confirmed that further consideration be given to this proposal at the next meeting of the Committee in July 2019.

RESOLVED That:

- 1) the Government Statutory Guidance on Overview and Scrutiny be noted;
- 2) the Committee consider a draft Executive-Scrutiny Protocol at its next meeting;
- 3) the Committee receive an update on Member training opportunities at its next meeting;
- 4) in light of the Statutory Guidance, Deputy Executive Members do not sit on the Overview and Scrutiny Management Committee or any other Overview and Scrutiny Committee which relates to their portfolio, with effect from the next round of meetings;
- 5) the Committee consider options for an additional Overview and Scrutiny Committee at its next meeting.

23. CONSIDERATION OF THE CURRENT EXECUTIVE FORWARD PROGRAMME

The Committee considered a copy of the Executive Forward Programme, as set out on Agenda pages 93 to 98.

RESOLVED: That the Executive Forward Programme be noted.

24. COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 99 to 114.

In the ensuing discussion, Members made the following points:

Overview and Scrutiny Management Committee: add items as discussed above.

Children's Services: consideration to be given to the following items:

- Children who are carers;
- Mental health issues;
- Northern House School;
- Feedback on Ofsted inspections.

Andy Croy suggested that the Committee consider setting up a Task and Finish Group to examine the planning rules and best practice relating to the process for adopting roads, open spaces, play areas and landscaping following new housing development. Andy stated that this issue caused concern for many residents as a result of an apparent lack of ownership of the situation once developers had moved off site. It was suggested that a report be submitted to the next meeting on the process for setting up a Task and Finish Group.

RESOLVED That:

- 1) the Overview and Scrutiny work programmes be amended to incorporate the items set out above;
- 2) a report be submitted to the next meeting on the proposal for a Task and Finish Group relating to the adoption of roads and other facilities following new housing development.

25. UPDATE REPORTS FROM CHAIRMEN OR NOMINATED MEMBER OF THE OVERVIEW AND SCRUTINY COMMITTEES

The Committee considered update reports from the Overview and Scrutiny Committees.

RESOLVED: That the reports be noted.