

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 18 SEPTEMBER 2019 FROM 7.00 PM TO 9.30 PM**

Committee Members Present

Councillors: Pauline Helliar-Symons (Chairman), Alison Swaddle (Vice-Chairman), Chris Bowring, Andy Croy, Paul Fishwick, Jim Frewin, Guy Grandison, Sarah Kerr, Abdul Loyes, Ken Miall, Ian Pittock and Rachelle Shepherd-DuBey

Other Councillors Present

Councillors: Rachel Burgess, Gary Cowan and John Kaiser

Officers Present

Neil Carr, Democratic and Electoral Services Specialist
Laura Callan, Strategy and Commissioning Support Manager
Jim Leivers, Interim Assistant Director, Education

38. APOLOGIES

An apology for absence was submitted from Jenny Cheng.

39. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 17 July 2019 were confirmed as a correct record and signed by the Chairman.

40. DECLARATION OF INTEREST

There were no declarations of interest.

41. PUBLIC QUESTION TIME

There were no public questions.

42. MEMBER QUESTION TIME

In accordance with the agreed procedure the Chairman invited Members to submit questions.

42.1 Gary Cowan asked the Chairman the following question:

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Question

There is a general public perception that the Council's Planning service is not fit for purpose. Most Councillors have experienced residents' disquiet on decision making, enforcement actions and the protection or lack of protection of trees, especially those with TPO's on them or where protective TPO's are not considered when trees are at risk to development to have a community value. This perception is also evident by articles in the press.

Whether there is any truth in this or not, a review would be beneficial as it would have two effects, one, it would re-assure residents that the service functions correctly in a transparent manner and two, it might identify areas where the service could be improved for the benefit of all.

Will the Committee agree to review the Planning service to address the points raised above and to ensure that the service is fit for purpose?

Answer

I am sorry to hear your view that there is a general perception among our residents and Councillors that the planning service is not fit for purpose. The Committee may wish to carry out a review of the service. However, in order to assist the Committee, it would be helpful to understand in more detail which specific service issues are causing concern. The Committee can then discuss your request as part of the consideration of its Work Programme at a later meeting.

In the meantime, you may also wish to discuss your concerns with the relevant Director and Executive Member as this is a large and complex service area.

Supplementary Question

Rather than take up the Committee's time I will contact the Director for an initial discussion and will copy you in on progress.

Supplementary Answer

Thank you. I would also refer you to the work programme for the Health Overview and Scrutiny Committee. The Committee has agreed to undertake a review of the way the Planning process takes health issues into consideration.

43. DECLARING A CLIMATE EMERGENCY

The Committee considered a report, set out at Agenda pages 15 to 20, which gave details of progress following the Council's decision to declare a Climate Emergency.

Councillor Gregor Murray, Executive Member for Climate Emergency, attended the meeting to present the report and answer Member questions.

The report stated that the Climate Emergency Motion was approved by the full Council at its meeting on 18 July 2019. The Motion stated that the Council would play as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham by 2030 with a report back within six months on the actions required.

In order to develop the Council's approach work was underway to produce a Climate Emergency Action Plan. This involved working with Council departments, residents, community groups, schools and the business community. The Action Plan would explore all potential methods to reduce carbon emissions, including ways to generate renewable energy, carbon offsetting through tree planting and the application of new and emerging technologies.

The Action Plan would seek to achieve some quick wins with a phased approach to initiatives which required longer term planning and implementation. The Council would be leading by example through the prioritisation of work on its own facilities and estate.

A cross-party Member steering group had also been established in order to monitor progress and support the development of the Action Plan, which would be submitted to the Council at its meeting in January 2020.

The report gave details of the work already being undertaken by the Council to reduce its carbon emissions, viz:

- A 25% target for the procurement of green energy from renewable sources;

- Installing solar panels on Council buildings (31 sites to date);
- Investing in energy-efficient plant and equipment in Council buildings;
- Enabling more sustainable travel through enhancements to pedestrian, cycle and bus routes;
- Promotion of increased recycling and reduced levels of waste (including food waste) sent to landfill.

Councillor Murray stated that the Climate Emergency Action Plan would focus on four key areas:

Structure and Governance – establishment of a cross-party Climate Emergency Working Group which would meet for the first time on 14 October 2019. The working group would also include representatives from Town and Parish Councils and the Borough's Youth MP. The Council was also seeking to recruit a Climate Emergency Strategy and Commissioning Officer to support the development of the Climate Emergency Action Plan.

Establishing the Borough's carbon footprint – the most recent Government figures on emissions in the Borough (2017) indicated carbon dioxide emissions of 771 thousand tonnes (kt). Discussions were ongoing with scientists at Reading University and other local authorities to establish an up-to-date assessment of the Borough's total carbon footprint. Similar calculations would be carried out for the Borough's Town and Parish areas.

Climate Emergency Action Plan – work on the action plan was underway with over 200 potential points already under consideration. It was hoped that a wide range of residents, community groups, schools, Town and Parish Councils and local businesses would submit ideas for inclusion in the action plan. The next Wokingham Borough News would include information about the steps that residents can take to help on the journey to carbon neutrality.

Communications – a Communications Plan was being developed which would be turned into a 12 month rolling plan. The aim was to be clear and transparent with residents about the science, the steps being taken to tackle climate change and the associated costs.

In the ensuing discussion, Members raised the following points:

What steps was the Council taking to identify and identify and remove IT and electrical equipment made using greenhouse gases with much greater climate impact than CO₂? It was confirmed that this would be assessed as part of the development of the action plan.

Was the Council seeking to achieve zero carbon or carbon neutrality by 2030? It was confirmed that the Motion approved by the Council referred to a carbon neutral Wokingham Borough by 2030.

The report referred to a £15k saving in energy bills over the past two years. Was it possible to identify the carbon reduction as well as the financial saving from each initiative? It was confirmed that the aim was to identify the carbon and financial savings for all initiatives in the action plan. This reporting would improve as the Council gained more knowledge and experience.

It was useful to identify low hanging fruit and quick wins. However, would the action plan initiatives be weighted to focus on measures with the biggest impact? It was confirmed that indicators would be identified to assess the overall impact of measures within the action plan. Progress would be published on a regular basis to enable residents to hold the Council to account. It was important to publish the draft action plan as quickly as possible to ensure that momentum and maximum engagement were achieved.

Analysis of the Government data on carbon dioxide emissions for the Borough (771 kt) indicated that there a small number of major issues, e.g. road transport and energy for homes and industry. Plans to tackle these big issues, e.g. reducing the number of cars on local roads, would require some very hard decisions. Would the action plan set out the top 5 big ticket items to be addressed as well as the large number of smaller initiatives? It was confirmed that the action plan would be a mixture of small and large items. It would be published to enable full public scrutiny.

What were the financial implications of the action plan? Would the Government be providing additional funding? It was confirmed that initiatives in the action plan would be costed. There was an expectation the Government would provide more funding for Councils to tackle climate emergency.

What mitigation measures were being delivered by Highways England, e.g. in relation to the loss of trees linked to the M4 Smart Motorways project? It was confirmed that information on Highway England's mitigation measures would be circulated to the Committee.

What was the timeframe for the Climate Emergency consultation exercise? It was confirmed that the consultation would run, initially, until 31 December 2019. However, it would then continue as an open consultation to enable further ideas to be submitted for consideration.

What benefits did the Council achieve from sending waste to the Energy from Waste Facility at Colnbrook, near Slough? It was confirmed that the Executive Member for Environment and Leisure would be asked to provide an update on this issue.

As the most recent Government emissions data was from 2017, it was important to factor in significant house building (with loss of trees/green space) which had taken place over the past two years, e.g. in Shinfield. It was confirmed that evidence relating to recent housing development would be factored into the carbon footprint calculations.

What role would the Member Steering Group play in developing the action plan? It was confirmed that the steering group would meet every two months and would review the action plan as it developed.

How would the Council engage with the climate change experts at Reading University? It was confirmed that the Member Steering Group would consider the most effective way to work with the University. This could include inviting the University to send a representative to join the steering group.

In relation to engagement with young people, what plans were being considered in addition to working with the Borough's Youth MP? It was confirmed that there were plans to develop a programme of work with local schools. This would encourage young people to

submit ideas via the Council's website. It could also include a process for bringing young people together to share ideas and learn from each other.

An Individual Executive Member Decision on, 17 September 2019, gave conditional support to the development of a third runway at Heathrow. Wouldn't the lack of (currently identified) sustainable public transport measures result in a significant environmental impact on the Borough, e.g. from additional vehicles travelling through the Borough to Heathrow, on the M4? It was confirmed that the decision to support the third runway was contingent on the implementation of mitigating measures to ensure a carbon neutral outcome.

Were Council Pension Fund investments being monitored to ensure that they followed ethical, environmentally friendly principles? It was confirmed that this suggestion would be considered by Council Officers.

The report stated that the Council's target for the procurement of green energy was currently 25%. Should this be higher? It was confirmed that the target should be higher and that the process for achieving this would be investigated.

In relation to the new Climate Emergency Strategy and Commissioning Officer, what targets would the postholder have? It was confirmed that specific targets would be considered as part of the ongoing development of the action plan.

In relation to furniture and other products made from illegally felled trees, what measures could be taken to ensure that supplies of wood were sourced responsibly? It was confirmed that investigations would be carried out and measures would be instigated to raise awareness of this issue with local businesses and residents.

RESOLVED That:

- 1) Gregor Murray be thanked for attending the meeting to answer Member questions on Climate Emergency;
- 2) the Committee endorse the work being undertaken by the Council to achieve a carbon neutral Borough by 2030, as set out in the report;
- 3) Councillor Murray be invited to attend the Committee's meeting on 22 January 2020 to provide a further update following the publication of the Climate Emergency Action Plan;
- 4) the additional information requested by Members, set out above, be circulated to the Committee.

Note: Andy Croy did not support the decision in 2) above.

44. QUARTER 1 2019/20 PERFORMANCE MONITORING REPORT

The Committee considered a report, set out at Agenda pages 21 to 50, which set out proposed Key Performance Indicators (KPIs) for 2019/20.

Laura Callan (Strategy and Commissioning Support Manager) and Jim Leivers (Interim Assistant Director, Education) attended the meeting to present the report and answer Member questions.

The report stated that, for 2019/20, the Council's KPI measures had been reviewed to focus on the current objectives for each service. The revised 36 KPIs were appended to the report together with a list of indicators that were no longer being measures. Some new indicators were also being developed to align with the Council's key priorities over the coming year.

For Quarter 1 of 2019/20 22 KPIs were reported as Green (assigned targets achieved). One KPI was reported as Amber (marginally off target) and seven KPIs were reported as Red (assigned targets not achieved). The Red KPIs were:

- New KPI – Safeguarding timeliness – concerns completed within two working days;
- New KPI – Safeguarding timeliness – enquiries completed within 28 days;
- New KPI – Proportion of people receiving long term care who were subject to a review in the last 12 months;
- KPI VP1iii – Delayed transfers of Care (delayed days);
- KPI VP9 – Number of initial care assessments completed;
- New KPI – Percentage of Education, Health and Care Plan Assessments completed within 20 weeks of referral;
- KPI CE10 – Percentage of Calls Answered.

The report gave details of measures being implemented in order to improve performance against the Red indicators.

The report stated that the new five year Council Plan was being developed with a target implementation date of March 2020. A new set of KPIs was being developed to support the Council Plan. The new indicators would be submitted to the Committee in March 2020 and would then be measured for reporting from April 2020 onwards.

In the ensuing discussion Members made the following points:

New KPI – Percentage of Education, Health and Care Plan assessments completed within 20 weeks of referral – what measures were being implemented to improve performance? It was confirmed that, following agreement to increase the budget for the service, the SEND Care Management Team was now fully staffed. Consequently, it was expected that this indicator would move to Green early in 2020. It was also confirmed that this service had previously been funded by a time-limited Government grant. There was a time-lag between the expiry of the grant and the delivery of additional in-house resources (£230k in 2019/20). There had also been a nationwide increase in the number of referrals for this service.

KPI EA9 (Supplementary Performance Indicator) – Percentage of children who received a 2-2.5 year review - this indicator had been reported as Red for some time. What progress was being made in improving the service? It was confirmed that further information on the performance of the service linked to this indicator would be circulated to the Committee.

New KPI – Overall satisfaction of people who use services with their care and support – this was the only KPI which measures satisfaction with Adult Social Care. Were other measures under consideration? It was confirmed that other measures, such as satisfaction surveys, were under consideration. The potential for developing measures of satisfaction for all services was also being examined.

KPI R4 – Return on investment in commercial properties – in addition to the % net yield, what was the financial return to the Council. Was there any benchmarking to assess whether the yields were competitive? It was confirmed that the KPI targets and RAG thresholds were provisional and subject to change. The Committee's comments would be fed back to the department for consideration.

KPI CE10 – Percentage of calls answered – the report stated that the RED RAG was due to a significant increase in the volume of calls in April 2019 due to a number of factors including annual Council Tax Billing and the introduction of food waste collection. Did the service managers forecast the increase in call volumes and deploy additional staff resources to cope? It was confirmed that the service would be asked to provide a written response to this question.

KPI CE10 – Percentage of calls answered – the KPI measured call volumes. What measures were used, if any, to measure customer satisfaction with the handling of calls, e.g. in relation to the length of waiting times? It was confirmed that further information would be provided on this issue.

KPI SC7 – Percentage of Household waste reused, recycled and composted – did the 2019/20 target (42%) reflect the Council's aim to achieve 50% by 2020 to avoid Government fines? It was confirmed that the Committee's comments would be fed back to the department for consideration.

KPI T1-6 – Percentage of Highway Infrastructure Schemes on track for project delivery – could the commentary include a clearer explanation on the make-up of the highway infrastructure schemes included? It was confirmed that the KPI was under development. The Committee's comments would be reported back to inform the development process.

KPI VP8 – Percentage of child protection visits completed on time – was the RAG status (Green) accurate? It was confirmed that the RAG status would be checked with the service and reported back to the Committee.

KPI VP10 – Percentage of housing stock which meets the Decent Homes Standard – why was the target not 100%? It was confirmed that there would always be a small number of Council homes that were empty or subject to renovation/improvement. Consequently 100% would not be a SMART target.

KPI VP14 – Number of affordable dwellings completed – was it possible to show the number of affordable houses completed as a percentage of the total number of houses completed? It was confirmed that this would be discussed with service and reported back to the Committee.

In relation to future reporting arrangements, Laura Callan stated that Appendix A (new performance indicators) would be submitted to the Committee on a quarterly basis. Appendix B (supporting performance measures) would be posted on the Council website. Appendix C (archived performance indicators) would no longer be reported.

RESOLVED That:

- 1) Laura Callan and Jim Leivers be thanked for attending the meeting to answer Member questions;
- 2) the proposed Key Performance Indicators for 2019/20 be noted;
- 3) the Quarter 1 Performance Report be noted;
- 4) the narrative for the Red performance indicators, set out in the report, be noted;
- 5) the additional information, clarification and answers to questions on the key performance indicators, set out above, be circulated to the Committee.

45. EXECUTIVE-OVERVIEW & SCRUTINY PROTOCOL

The Committee considered a report, set out at Agenda pages 51 to 58, which gave details of the final version of the Executive-Overview and Scrutiny Protocol.

The Protocol had been developed in line with best practice identified in the Government's Statutory Guidance on Overview and Scrutiny. It set out the practical expectations of Executive and Overview and Scrutiny Members which helped to promote greater understanding and cooperation.

The Committee considered a draft Protocol at its meeting on 17 July 2019 and requested that the document be discussed with Executive Members, the Council's Chief Executive and the Corporate Leadership Team. Following those discussions some minor amendments had been suggested which were highlighted in the report.

Members requested clarification on the implications of Paragraphs 16 and 17 of the Protocol in relation to the rights of Overview and Scrutiny Members to see information relating to private meetings of the Executive or its Committees. In order to provide clarification it was suggested that Paragraphs 16 and 17 be referred to the Constitution Review Working Group for consideration.

RESOLVED That:

- 1) the Executive-Overview and Scrutiny Protocol be approved, subject to clarification on the implications of Paragraphs 16 and 17;
- 2) Members use the Protocol as a framework to monitor the relationship between the Executive and Overview and Scrutiny;
- 3) the impact of the Protocol be assessed as part of the Overview and Scrutiny Annual Reports to the Council in March 2020.

46. MANAGING THE SCRUTINY WORKLOAD

The Committee considered a report, set out at Agenda pages 59 to 62, which gave further consideration to potential options for managing the workload of the four Overview and Scrutiny Committees.

The report stated that, at its meeting in July 2019, the Committee had considered five options which could address the current heavy workload. The Options were:

Option 1 – establish an additional Overview and Scrutiny Committee. This may be achieved by splitting the Community and Corporate Overview and Scrutiny Committee back into its constituent parts, i.e. reverting back to a Community Partnerships and a Corporate Services Overview and Scrutiny Committee.

Option 2 – maintain the current Overview and Scrutiny structure and set up more time-limited Task and Finish Groups to tackle specific issues. As an example, a Task and Finish Group has been established to look at the issues relating to the adoption of roads and open spaces following the completion of new housing development.

Option 3 – maintain the current Overview and Scrutiny structure and rigorously review the work programmes to ensure that the Committees focus on a smaller number of key priorities during the year and in future years.

Option 4 – linked to Option 3, maintain the current Overview and Scrutiny structure and hold additional meetings. As an example, the Community and Corporate Overview and Scrutiny Committee has set up a number of extraordinary meetings to facilitate scrutiny of the Council's Budget process.

Option 5 – amend the terms of reference of one or more of the Overview and Scrutiny Committees in order to achieve a more reasonable, balanced workload for each Committee. For example, the Health Overview and Scrutiny Committee could take on additional issues such as housing, the voluntary sector and community safety.

Having considered the five options, the Committee concluded that a combination of options 3, 4 and 5 would be the most effective solution and that the matter should be reviewed again in 2020/21.

RESOLVED That:

- 1) the options set out in the report to manage the Overview and Scrutiny workload for 2019/20 and future years be noted;
- 2) a combination of Options 3, 4 and 5 be implemented in order to address the workload issues;
- 3) the Overview and Scrutiny workload situation be reviewed again during the 2020/21 Municipal Year.

47. CONSIDERATION OF THE CURRENT EXECUTIVE AND INDIVIDUAL EXECUTIVE MEMBER DECISION FORWARD PROGRAMMES

The Committee considered the Executive Forward Programme and the Individual Executive Member Decision Forward Programme as set out on Agenda pages 63 to 72.

RESOLVED: That the Forward Programmes be noted.

48. COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 73 to 90.

Members considered a request from Councillor Frewin to include in the Overview and Scrutiny Management Committee work programme a review of the Council's policies relating to illegal traveller encampments. This followed a number of recent incidents on both private and public land across the Borough. It was suggested that Members receive a briefing on the relevant issues prior to considering this item at the meeting on 27 November 2019.

RESOLVED That:

- 1) The Overview and Scrutiny Work Programmes be noted;
- 2) An item on illegal traveller encampments be considered at the 27 November meeting (with an earlier update briefing open to all Members);
- 3) Gregor Murray, Executive Member for Climate Emergency, be invited to attend the Committee's meeting on 22 January 2019;
- 4) emerging drafts of the Climate Emergency Action Plan be circulated to the Committee;
- 5) reports to the Children's Services Overview and Scrutiny Committee on GCSE and A Level results, include details relating to Edgebarrow School;
- 6) the Community and Corporate Budget Scrutiny meeting on 24 September 2019 be noted;
- 7) the Community and Corporate item relating to Flood Risk Management (30 October 2019) include an invitation to the Loddon Valley Residents Association;
- 8) the long list of work programme items for each Committee be divided into current Scrutiny items, items completed/under review and procedural items.

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

The Committee considered updates from the Overview and Scrutiny Committee Chairmen.

RESOLVED: That the update reports be noted.