

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 19 FEBRUARY 2020 FROM 7.00 PM TO 10.05 PM**

Committee Members Present

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

Other Councillors Present

Councillors: Prue Bray

Officers Present

Lewis Borges, Business Change Lead Manager
Neil Carr, Democratic and Electoral Services Specialist
Graham Ebers, Deputy Chief Executive and Director of Corporate Services
Paul Ohsan Ellis, Business Change Lead Manager
Susan Parsonage, Chief Executive
Simon Price, Assistant Director, Housing, Income and Assessments

73. APOLOGIES

There were no apologies for absence.

Prue Bray attended the meeting as substitute for Ian Pittock.

74. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 22 January 2020 were confirmed as a correct record and signed by the Chairman, subject to the following amendments:

Minute 66 – Declaring a Climate Emergency Initial Action Plan - the final paragraph on Page 8 of the Agenda being amended to read:

“In relation to the scope of the Climate Emergency project, could the Council develop a separate Air Quality Action Plan, addressing noxious and other pollutants?.....”

Minute 68 – Council Plan Performance Monitoring – Q2 2019/20 (Page 12) – KPI CE1 being amended to read:

“KPI CE1 – Revenue Budget Monitoring Forecast Position and KPI CE2 – capital Budget Monitoring Forecast Position.

Comment – when overspends and underspends occur, the Committee would like to receive greater detail on causation and action plans put in place. The RAG rating should reflect the fact that large underspends are a matter of concern for Members, in addition to overspends”.

75. DECLARATION OF INTEREST

There were no declarations of interest.

76. PUBLIC QUESTION TIME

There were no public questions.

77. MEMBER QUESTION TIME

There were no Member questions.

78. UNAUTHORISED TRAVELLER ENCAMPMENTS

The Committee considered a presentation, set out at Agenda pages 15 to 23, which gave details of the Council's policy and procedures relating to unauthorised traveller encampments.

Simon Price, Assistant Director, Housing, Income and Assessments, attended the meeting to give the presentation and answer Member questions.

An unauthorised encampment arose when any person camped (in vans, trailers, tents or any other moveable accommodation) on land that they did not own, and where they did not have permission to reside.

The presentation stated that the Council had signed up to the Thames Valley Police protocol for dealing with encampments in May 2018. The Council's Executive had also approved an updated policy on encampments at its meeting in March 2018. The updated policy had enabled Officers to use common law powers in dealing with unlawful encampments. This entailed the use of bailiffs rather than the courts. The use of common law powers resulted in reduced legal costs and reduced costs relating to the clearance of sites.

The presentation gave details of performance data relating to unauthorised encampments, as follows:

- Number of encampments;
- Average number of days to clear encampments;
- Number of encampments on public and private land;
- Number of encampments cleared with and without Section 61 (police) powers.

In 2019/20 (to date) there had been 25 unauthorised encampments across the Borough. Of these, 12 were on public land and 13 were on private land. The cost to WBC of clearing the encampments on public land was £1,449. Dealing with the encampments took 165 hours of police officer time and 155 hours of WBC officer time.

In the ensuing discussion, Members raised the following points:

One issue relating to the Council's clearance of sites was the fact that travellers could then move a short distance on to private land. What advice and support did the Council provide for private landowners? Simon Price commented that the Council provided advice to private landowners but had no jurisdiction. It was a matter for private landowners to protect their own land.

Was the Council considering best practice from other local authorities? Simon commented that the Council did seek to learn from elsewhere but it was important to remember that the service was delivered with limited resources.

Ken Miall referred to an incident when Sheriffs were used to move travellers on. What was the difference between using Sheriffs and bailiffs? Simon undertook to discuss this case with Ken outside the meeting.

Guy Grandison asked about the percentage of traveller encampments which involved medical/welfare issues. Simon undertook to provide information on the number of encampments involving medical/bereavement cases.

Did the Council have any special arrangements with Town and Parish Councils? Simon commented that WBC held regular discussions with the Town and Parish Councils. However, there were ongoing issues around enforcement when the land was not WBC-owned.

The Council had taken out an injunction which prohibited unauthorised encampments at Cantley Park. What factors were involved? Simon stated that Cantley Park was earmarked as an emergency morgue in case of major incidents. This fact had supported the granting of the injunction. The Council had explored the potential for a Borough-wide injunction, but this was not successful. Simon was happy to share the legal advice relating to the attempted Borough-wide injunction.

Had the Council considered the development of a transit traveller site in the Borough? Simon stated that discussions had been held with lead Members, but there was no political appetite for such a site at present. In the meantime, the Council was looking to create three additional pitches at the Carters Hill site.

In relation to the unauthorised encampments in 2019/20, how many were repeat incursions on the same site? Simon stated that a report had been submitted to the Community Safety Partnership with this information. Simon was happy to circulate this report to Members.

Did the Council provide written advice/leaflets for Town and Parish Councils and private landowners? Simon agreed to explore the potential for information leaflets and improved information on the WBC website.

In addition to the points made, Members felt that the Council should seek to develop a more holistic approach, learning from best practice and providing effective guidance to local stakeholders. The Council should also consider any implications for the Local Plan Update.

Susan Parsonage undertook to raise the issues raised with the other Berkshire Chief Executives as part of her regular discussions.

Andy Croy suggested that a Member training session be arranged to provide an update on the latest developments and guidance on the Council's procedures for dealing with unauthorised encampments.

RESOLVED That:

- 1) Simon Price be thanked for the presentation on unauthorised traveller encampments;
- 2) Simon Price provide a further update to the Committee in June 2020 including feedback on the points raised by Members;
- 3) the additional information requested by Members be circulated to the Committee;

- 4) Susan Parsonage discuss the issues raised by Members with the other Berkshire Chief Executives;
- 5) Simon Price consider the development of an information/guidance leaflet for residents and Town and Parish Councils;
- 6) a Member training session be arranged to provide an update on the Council's policies and procedures.

79. COMMUNITY VISION AND CORPORATE DELIVERY PLAN 2020-24

The Committee considered a report, set out at Agenda pages 25 to 26 (and supplementary Agenda) which set out the new Council Plan (incorporating the Community Vision and Corporate Delivery Plan) 2020/24.

Susan Parsonage (Chief Executive) and Graham Ebers (Deputy Chief Executive and Director of Corporate Services) attended the meeting to answer Member questions on the plan.

The report stated that the Council Plan had been developed through consultation with residents, businesses, partners and political groups. The Community Vision document was a public facing document which communicated key priorities to residents and set out key targets for the next four years. The key priorities set out in the Community Vision were:

- Enriching lives – supporting our residents to lead happy, healthy lives whilst developing local communities and the local economy.
- Safe, Strong Communities – protecting vulnerable residents whilst nurturing communities which are safe for all;
- Changing the Way we Work for You – being a customer-focussed organisation with high quality services, good communications and digital innovation;
- A Clean and Green Borough – a focus on becoming carbon neutral whilst protecting our green spaces, improving biodiversity and reducing waste;
- Right Homes, Right Places – delivering affordable, sustainable homes which meet a range of housing needs, with supporting infrastructure and community facilities.
- Keeping the Borough Moving – improving our cycleways, footpaths and roads whilst tackling traffic congestion and promoting alternative travel options.

The Corporate Delivery Plan built on the key priorities in the Community Vision and identified core organisational values which would underpin future service delivery and community engagement. The organisation's Core Values were:

- Customer Focus – delivering quality services that we would like to receive ourselves;
- One Team – working jointly with residents and partners across boundaries to ensure effective and efficient service delivery;
- Taking Ownership – taking responsibility for issues and being accountable for the outcomes delivered to residents;

- Being Ambitious – aiming for excellence, being innovative and entrepreneurial whilst managing risk.

The Corporate Delivery Plan provided a framework to be used by departments and the Council's Executive in driving strategic policy and service delivery. The plan would be used to develop SMART targets and key performance indicators to ensure effective performance management and monitoring.

In the ensuing discussion Members raised the following points:

What was the cost of producing the Community Vision and Delivery Plan? Graham Ebers commented that development of the documents had involved discussions with a wide range of internal and external stakeholders. Consequently, it was not possible to identify an exact cost.

Delivery of the Plan would require a significant change in organisational culture, for example in the Council's approach to equality issues and funding for arts and culture. Graham commented that delivery of the Plan would be a challenge for the organisation. This was a positive approach. Scrutiny and feedback from stakeholders would be important in driving the organisation forwards. In relation to arts and culture, Susan Parsonage stated that the key to success would be working with partners and leveraging in funding by identifying grants and sponsorship opportunities.

There was concern that the development of the Vision and Delivery Plan had taken many months, yet the documents were only submitted to the Scrutiny Committee the day before consideration and approval by Council. Graham explained some of reasons behind delays in producing the documents, such as the unexpected General Election in December 2019. Development of the Plan had been a learning process for the Council which would benefit future iterations. It was also beneficial to consider the Plan alongside the Medium Term Financial Plan.

Whilst the Plan was an improvement on the previous version, there was concern that the Corporate Delivery Plan was not a delivery plan, it was more of a set of strategic aims, lacking in specific targets. Similarly the Community Vision was, in reality a Council Vision with little evidence of input from strategic partners. It also underplayed some of the key issues affecting the lives of many residents such as house prices, rent levels, traffic congestion, air pollution and the impact of austerity. Graham commented that the underpinning SMART targets would be developed as quickly as possible, which would allow robust Scrutiny of progress against specific targets.

Following approval of the Vision and Delivery Plan, would there be an annual update to Council? Graham stated that there would be an annual update setting out progress against key targets. The Plan would also provide a framework for the development of the Overview and Scrutiny Committee work programmes.

Andy Croy stated that the Labour Group were unhappy with the content of the Vision and Delivery Plan documents. They felt that the Delivery Plan was too vague and lacking in specific, measurable actions. The documents needed to be more realistic about the challenges facing the Borough.

Susan Parsonage stated that the Community Vision and Delivery Plan set the direction of travel for the Council over the next four years. The documents were important as they provided clarity for staff on the Council's ambitions and the key issues affecting the Borough and its residents. More detail would follow as specific targets and underpinning performance indicators were developed and implemented. Overview and Scrutiny would play an important role in scrutinising this process.

RESOLVED That:

- 1) Susan Parsonage and Graham Ebers be thanked for attending the meeting to discuss the Community Vision and Corporate Delivery Plan;
- 2) the Community Vision and Delivery Plan be noted;
- 3) the Committee receive a further report, at its March 2020 meeting, on progress relating to the development of specific targets and performance indicators to underpin the Delivery Plan.

Note: Andy Croy stated that he could not support the Community Vision and Corporate Delivery Plan documents in their current state.

80. BUSINESS CHANGE: CONTINUOUS IMPROVEMENT REPORT

The Committee considered a report, set out at Agenda pages 27 to 34, which gave details of the Council's Continuous Improvement Programme (CIP).

Graham Ebers (Deputy Chief Executive and Director of Corporate Services), Paul Ohsan.Ellis (Business Change Lead Manager) and Lewis Borges (Business Change Lead Manager) attended the meeting to present the report and answer Member questions.

The report stated that the Council's 21st Century Council Programme had ended in March 2019. In order to continue on the improvement journey, the Council had formed the Business Change Service in May 2019 and embarked on the CIP.

The Business Change Team had developed CIP in each Council Directorate. In addition the team supported the directorates in ensuring that robust governance was in place which underpinned delivery of the savings outlined in the Council's Medium Term Financial Plan.

The Business Change Team comprised four main functions: project management, business change, business analysis, digital assessment and intelligence. The team adopted a multi-skilled approach which supported plans to work in themed areas across the Council. The team's resource capacity was allocated to Adult Social Care (40%), Children's Services (40%), Locality and Customer Services (10%) and Corporate Services (10%).

The report gave details of the projects supported by the team to date and the team's areas of focus for 2020 onwards. For example, directorate "design" work was already underway for Adult and Children's Services to develop a programme of work dedicated to service and structural design. Other corporate projects included Service Accommodation, Transport Review, Data and Insight.

In the ensuing discussion, Members made the following points:

In relation to the projects being supported by the Business Change Service, how many were high risk or rated Red in the RAG ratings? It was confirmed that the majority of projects were rated Green or Amber. One area of concern related to the Customer Portal as a result of Microsoft's decision to withdraw support.

The 21st Century Council programme had delivered £3m in savings but the original target was to achieve a further £1m from People Services. However, it appeared that the model used was not appropriate for high risk, high demand, high specialist services such as adult and children's social care. How did the change team mitigate the risk of destabilising services as CIP progressed? Graham Ebers commented that the 21st Century programme had delivered £3m savings. CIP was being implemented by Directors, supported by the Business Change team. This reduced the risk of change being imposed on services from outside. As an example, the recent Peer Review of Adult Social Care reported that positive change was happening at pace within a controlled environment.

In relation to specific projects, would the review of Home to School Transport include transport for over-16s? Lewis Borges confirmed that it would. Were there any plans to review the Council's website as some residents found it difficult to find information? Susan Parsonage commented that the website would be looked at as part of the wider review of customer service.

Did CIP include innovation and learning from best practice elsewhere? Graham stated that the programme involved fundamental rethinking about issues such as prevention, demand management and market shaping. Success would require agile governance and the ability to work at pace. As an example, Impower had been commissioned to work on demand management in Adult Social Care through a 12 week contract.

Pauline Helliard-Symons referred to the Council's previous target of answering telephone calls within 10 rings (around 30 seconds). The most recent performance management report indicated that the average wait time was well over one minute. The Committee had requested further information on call handling performance following the Q3 Performance Management Report to the January 2020 meeting.

RESOLVED That:

- 1) Lewis Borges, Graham Ebers and Paul Ohsan.Ellis be thanked for attending the meeting to update Members on the Continuous Improvement Programme;
- 2) progress on the Continuous Improvement Programme be noted;
- 3) the Committee receive a further update on the programme in due course.

81. SCRUTINY OF THE CLIMATE EMERGENCY ACTION PLAN

The Committee considered a report, set out at Agenda pages 35 to 40, which set out a range of options for Scrutiny of the Council's Climate Emergency Action Plan.

The report stated that the Committee had given consideration to the Council's initial Climate Emergency Action Plan at its meeting on 22 January 2020. As part of its discussions the Committee requested a further report setting out options for the effective Scrutiny of the action plan, one option being the establishment of a separate Climate Emergency Overview and Scrutiny Committee.

The report set out a number of options including:

- Establishing an additional Overview and Scrutiny Committee;
- Maintaining the current Overview and Scrutiny structure with time-limited Task and Finish Groups;
- Maintaining the current structure and focussing on a smaller number of key issues, such as Climate Emergency;
- Maintain the current structure with additional meetings;
- Amending the terms of reference of the other Overview and Scrutiny Committees in order to achieve a more balance workload for each.

The report considered each of the options and the resource implications for each one. These include financial impacts and workload issues for Members and Officers.

It was proposed by Pauline Helliard-Symons and seconded by Alison Swaddle that the Committee establish a Climate Emergency Task and Finish Group comprising five to seven Members, membership of the Group to be open to all Overview and Scrutiny Members.

Upon being put to the vote, the proposal was agreed.

Andy Croy suggested that the Task and Finish Group should focus initially on the performance measures, targets and metrics being developed to underpin the Council's Climate Emergency Action Plan.

RESOLVED That:

- 1) a Task and Finish Group be established to scrutinise the Council's Climate Emergency Action Plan;
- 2) the Task and Finish Group comprise five to seven Members drawn from the Council's Overview and Scrutiny Committees;
- 3) the Task and Finish Group focus initially on performance measures, targets and metrics being developed to underpin the Council's Climate Emergency Action Plan;
- 4) the Committee review the operation of the Task and Finish Group in conjunction with a wider review of Overview and Scrutiny Committee workloads during 2020/21.

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

The Committee considered a copy of the Executive Forward Programme and the Individual Executive Member Decision Forward Programme as set out on Agenda pages 41 to 48.

RESOLVED: That the Forward Programmes be noted.

83. COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 49 to 54.

Pauline Helliard-Symons suggested that any items for inclusion in the 2020/21 Overview and Scrutiny Work Programmes be forwarded to Neil Carr in Democratic Services.

Sarah Kerr suggested the following items for consideration:

- WBC website;
- Home to School Transport Strategy – including post 16s;
- Electric vehicle charging;
- Low emission transport strategy.

Alison Swaddle reported that performance management reports would henceforth cease to be a standing item on the Children's Services Overview and Scrutiny Committee Agenda. The quarterly reports would be considered at the most appropriate meeting.

Community and Corporate Overview and Scrutiny Committee – at the March meeting, Pauline Helliard-Symons requested that the Royal Berkshire Fire and Rescue representatives be asked to discuss measures for improving joint working with WBC.

RESOLVED: That the Work Programmes, as amended, be noted.

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

The Committee considered updates from the Overview and Scrutiny Committee Chairman and/or Members in relation to recent meetings of the Committees.

RESOLVED: That the updates be noted.