MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 24 FEBRUARY 2021 FROM 7.00 PM TO 8.30 PM

Committee Members Present
Councillors: Pauline Helliar-Symons (Chairman), Alison Swaddle (Vice-Chairman), Andy Croy, Paul Fishwick, Jim Frewin, Guy Grandison, Emma Hobbs, Sarah Kerr, Abdul Loyes, Ken Miall, Andrew Mickleburgh, Malcolm Richards and Rachelle Shepherd-DuBey

Officers Present
Neil Carr, Democratic and Electoral Services Specialist
Laura Callan, Strategy and Planning Manager
Will Roper, Customer Insight Analyst and Performance Manager
Jackie Whitney, Lead Manager, Customer Delivery

71.   APOLOGIES
There were no apologies for absence.

72.   MINUTES OF PREVIOUS MEETING
The Minutes of the meeting of the Committee held on 20 January 2020 were confirmed as a correct record and would be signed by the Chairman at a later date.

73.   DECLARATION OF INTEREST
There were no declarations of interest.

74.   PUBLIC QUESTION TIME
There were no public questions.

75.   MEMBER QUESTION TIME
In accordance with the agreed procedure the Chairman invited Members to submit questions.

75.1   Gary Cowan asked the Chairman the following question:

Question
I do find it bizarre that the Constitutional Group consists of the Leader, his deputy, and another member of the ruling Executive plus one Lib Dem Member; but when one adds the Standards Committee debacle to the workings (or not) of the Constitution, in my opinion this does not show Wokingham Borough Council (WBC) in much of a good light but again because of its majority, it's the committee construction's responsibility of the ruling party.

My question to the Overview and Scrutiny Management Committee, who are responsible for co-ordinating the Council's arrangements for holding the Executive to account; do they consider that the current membership of the CRWG will be seen by the Committee and by default our residents as more judge and jury rather than being democratic and so should be at least be reviewed soonest?

Answer
You imply in your question that CRWG is not democratic. I do not agree. Let me explain why.

There are no legal regulations around the process for reviewing and updating the Constitution - it is up to each local authority to decide its local arrangements. The Constitution Review Working Group (CRWG) was set up by Council on 27 October 2005. Council agreed that its purpose was "to review the whole of the Constitution in order to provide further consistency and clarification."

The terms of reference of CRWG set out more broadly its purpose stating that it will undertake this role by:

a)   Reviewing areas in the Constitution to ensure that they are fit for purpose and put forward appropriate changes;
b)   Receiving requests to review certain areas of the Constitution;
c)   Considering changes proposed by Members, Officers and Committees;
d)   Recommending proposed changes to Council for approval.

Council agreed that the membership of CRWG should be four members and should be politically balanced. Members are appointed to CRWG at the Annual Council Meeting and I do not recall, Councillor Cowan, that you raised the issue about membership at that point. Maybe you did. My memory is not that strong on that sort of thing. I assume that you agreed it at the time, as the rest of us probably did.

The Overview and Scrutiny Committees are, indeed, tasked with holding the Executive to account. Since neither the Leader nor his deputy, nor any member of the Executive are on any of the Overview and Scrutiny Committees, they are well able to hold them to account.

In addition, CRWG is not about political point scoring, but is about process and procedure. Therefore, there is nothing to judge or to be a jury for. It is important to reiterate that CRWG is not, in any case, a decision making body. Any changes to the Constitution are decided by full Council. If Council wishes to change its current local arrangements, that would be a decision for the whole Council.

Supplementary Question
When I look at Overview and Scrutiny within an Executive model, from a Scrutiny perspective, I find it quite interesting. Under the Executive model, the Executive works under a corporate model. That model takes advice under a Group process and goes through a three line whip, as is the norm.

When you have a CRWG consisting of the Leader, the Deputy Leader and another member of the Executive as three of the four members and you go into the Standards Committee and see a similar arrangement, would you agree with me that the CRWG and the Standards model are not the best examples of democracy as we see it? Would you also agree that the current models for CRWG and Standards make Overview and Scrutiny monitoring difficult to carry out in their present form?

Supplementary Answer
No, I do not find any difficulty in that. As the Chairman of this Overview and Scrutiny Committee I find no barriers at all to scrutinising anybody or any part of the organisation.

You mentioned the Standards Committee in the same breath. It is, perhaps, slightly different, but the thing that is common between them is that every one of us agreed (in two meetings) that the membership was acceptable. So, if there is any blame, every one of us is culpable. You will also remember that the Leader and an Executive Member stood down

immediately from the Standards Committee. CRWG recommendations go to full Council for discussion.

So, I take your point but, I'm afraid, I cannot agree with it.

76.   QUARTER 3 2020/21 PERFORMANCE REPORT

The Committee considered a report, set out at Agenda pages 9 to 30, which gave details of Council performance during quarter 3 of 2020/21 (October to December).

Laura Callan and Will Roper from the Communities, Insight and Change service attended the meeting to present the report and answer Member questions.

The report stated that each quarter of 2020/21 had been impacted by the Covid-19 pandemic. Quarter 3 started with some services able to resume, albeit at reduced capacity due to social distancing measures. The Borough was then affected by the second national lockdown in November.

Despite the significant impacts of Covid-19 and the Council's focus on response and recovery, performance at the end of quarter 3 remained positive across the majority of Key Performance Indicators (KPIs). 61% of KPIs were on track (Green), with 16% close to target (Amber) and 17% missing the target in quarter 3 (Red).

The following indicators were reported as Red in quarter 3:

- CS1 – Percentage of children who became subject to a Child Protection Plan for a second or subsequent time within 24 months.

- RA5a – Percentage of successful homeless preventions.

- PG19 - Percentage of household waste reused, recycled and composted.

- AS3 – People aged 65+ who received reablement from the START team following discharge from hospital, and remained at home 91 days later.

- CIC16 – Number of Stage 1 complaints received.

- AS7 – Proportion of people receiving long term care who were subject to a review in the last 12 months.

- CS4 – Percentage of EHCP assessments completed within 20 weeks of referral.

- CIC5 – Visits to Wokingham Borough libraries.

- RA3 – Usage of Wokingham Borough leisure centres.

- RA4 – Participation in leisure centre activities to support those who may be experiencing social isolation.

- RA5d – Proportion of applicants supported into settled accommodation.

In addition to the KPIs in the report, the following KPIs were under development and would be reported to the Committee in due course:

- Alternative measure for Delayed Transfers of Care;

- Channel shift - % digital transactions;

- Staff engagement survey – to develop more frequent reporting.

In the ensuing discussion, Members raised the following points:

- Government financial support for spending on Covid-19 – was there more certainty about future funding? It was confirmed that the Finance team would be asked to comment on levels of financial support as the pandemic progressed.

- RA5a – Percentage of successful homeless preventions – could further detail be provided on this indicator and the reasons behind the move from Green to Red status in Quarter 3? It was confirmed that the service would be asked to provide written details.

- RA5d – Proportion of applicants supported into settled accommodation – could further detail be provided on the rationale for the 40% target (which seemed low) and further information on the scale of homelessness across the Borough (actual numbers in addition to percentages). It was confirmed that the service would be asked to provide a written response.

- CIC5 – Visits to Wokingham Borough libraries – could the existing target be changed to make it achievable and reflect the impact of the pandemic. Also, could the service consider introducing a target relating to its digital operations?

- PG8 – Percentage of planning applications determined within statutory timescales – the 60% target appeared low as the service achieved 98/99% in the first three quarters.

- PG26 – Air quality – the report stated that the main pollutant of concern was nitrogen dioxide (NO_2). This was challenged as particulate matter was considered to be more important. Further detail was requested on the way in which the figures were put together. Also, could a KPI be developed around the data from the PM 2.5 monitors? It was felt that the KPI, as reported, did not reflect the range of issues and concerns relating to air quality.

- Biodiversity Net Gain – a KPI would need to be established in line with new legislation.

- PG15 – Adults who do any walking or cycling, for any purpose, at least once a week. Sarah Kerr shared a chart from Watch Wokingham (a cycling group) which set out walking and cycling rates between 2015/16 and 2018/19. The data indicated a decreasing cycling trend. This should be checked against the direction of travel in the report.

- PG16 – Enabling sustainable travel: length of greenways and cycleways delivered – should this KPI be reported as leisure rather than keeping the Borough moving? It was felt that Greenways were more associated with leisure activities than transport. Should there be an additional KPI related to cycleways for utility travel?

- PG19 – Percentage of household waste reused, recycled and composted – this indicator showed a 6% reduction, but PG20 (waste sent to landfill) also showed a reduction. So what happened to the residual waste – had it been incinerated. Data on incinerated waste was not reported – should a further KPI be developed? It was important to capture data on all aspects of the waste journey.

- PG26 – Air quality – WBC was required to produce an annual report to Defra. Where were the figures for the Twyford Crossroads and adjacent to the M4 for 2018? Did the data reported match up with the data submitted to Defra?

- PG13 – could more detail be provided on individual schemes? The report set out various phases with percentages, but there was little detail on specific schemes – which schemes were on track or behind schedule.

- PG14 – Publicly available electric charging devices per 100,000 population – the report referred to 1,000 EV charging units by 2025. When/where was that target set? It did not appear in the Climate Emergency Action Plan.

- PG15 – Proportion of adults who do any walking or cycling, for any purpose, at least once a week – the 80.4% figure related to 2018/19 data published by the Department for Transport. 80.4% was then used the target for 2019/20. Was this correct?

- CIC16 – Number of Stage 1 complaints received – how did the Quarter 3 data compare with the previous year? It was confirmed that the majority of complaints in Quarter 3 related to housing maintenance as the impact of Covid-19 had been that contractors could not complete as many maintenance calls each day, resulting in increased customer dissatisfaction.

- Gov Metrics – when would these KPIs be reported? It was confirmed that data collection had started in the previous week. External communications would be carried out shortly with the aim of encouraging customer feedback on the range of interactions with WBC - web, telephone, on line forms, etc.

- RA5a – Percentage of successful homeless preventions – it was noted that, as part of the Council's response to the pandemic, the All In policy had been successful in finding suitable accommodation for rough sleepers in the Borough.

- CIC8 – Number of fly-tipping incidents – re the increased number of incidents in Quarter 2, what had been the impact of the partial closing and reduced capacity for the two recycling centres? What factors had led to the improvement in Quarter 3?

Members discussed the format of the Quarterly Performance Reports and considered options to make the reporting more effective and timely. Jim Frewin commented that the reports contained a lot of useful data, but was there too much information to enable a productive debate? Jim suggested dividing the report into service areas, with relevant officers in attendance at the Committee's meetings. That would allow Member questions to be answer in real time rather than seeking written answers which preventing more effective questioning and follow-up scrutiny.

Guy Grandison suggested that the Quarterly Reports provided an overview on the KPIs. The Committee could then focus on specific areas of concern, e.g. any indicators showing

a Red status for two consecutive quarters. Those indicators of concern should then be referred to the relevant Overview and Scrutiny Committee for more detailed scrutiny.

Sarah Kerr suggested that a Member Task and Finish Group would be a useful way to look at this issue. It could also review the initial corporate process for developing KPIs.

Members asked for a report to the next meeting of the Committee with officer recommendations on the options for improving the Quarterly Performance Report process. The aim was to make the most effective use of Member and officer time whilst ensuring that performance issues were addressed and reported in a timely manner.

RESOLVED That:

1) Laura Callan and Will Roper be thanked for attending the meeting to present the Quarter 3 Performance report;

2) written responses be provided for the Member questions and comments at the meeting, as set out in the Minutes;

3) a report be submitted to the next meeting with options for making the Quarterly Performance Report process more effective and efficient.

77.   IMPROVING O&S WORK PROGRAMMING, MONITORING AND REPORTING

The Committee considered a report, set out at Agenda pages 31 to 38, which set out proposals to improve Overview and Scrutiny work programming, monitoring and reporting.

The report referred to discussions at the Committee's meeting in January 2021. Members had requested a further report setting out ideas for "horizon scanning" in order to ensure that emerging issues and policies were factored into the Overview and Scrutiny work programmes.

The report proposed that the relevant Executive Member/Directors be invited to the first Overview and Scrutiny Committee meetings in the new Municipal Year in order to discuss priorities over the year ahead. The report also proposed more frequent meetings between the Overview and Scrutiny Committee Chairmen, the Executive and the Corporate Leadership Team in line with the Protocol (appended to the report) agreed in 2019.

The report also suggested the introduction of an improved action tracking system for the Committees' recommendations to ensure that the relevant actions were taken and feedback was provided for Members. This would allow Scrutiny Members to build up a picture of progress during the year and would enable progress chasing on actions that were outstanding. It was confirmed that the tracking system could include recommendations made to the Executive and that the updates could be date stamped.

RESOLVED That:

1) the proposed improvements to "horizon scanning" and action tracking, set out in the report, be approved;

2) the relevant Executive Member/s and Director/s be invited to the first Overview and Scrutiny Committee meetings in the new Municipal Year to discuss priorities for the year ahead;

3) regular meetings be held between the Overview and Scrutiny Chairmen, the Executive and the Corporate Leadership Team in line with the 2019 Executive-Overview and Scrutiny Protocol;

4) each Overview and Scrutiny Committee adopt an action tracking report to be discussed and updated at each meeting during the year.

78.   OVERVIEW AND SCRUTINY ANNUAL REPORTS 2020/21
The Committee considered the Overview and Scrutiny Annual Reports for 2020/21, set out at Agenda pages 39 to 56. The Annual Reports gave details of the issues considered by the Overview and Scrutiny Committees during 2020/21.

In line with the Constitution, the Annual Reports would be submitted to the full Council meeting in March 2021.

RESOLVED: That the Overview and Scrutiny Committee Annual Reports for 2020/21 be confirmed for submission to the Council in March 2021.

79.   CONSIDERATION OF THE CURRENT EXECUTIVE AND INDIVIDUAL EXECUTIVE 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 57 to 66.

RESOLVED: That the Executive and Individual Executive Member Decision Forward Programmes be noted.

80.   COMMITTEE WORK PROGRAMMES
The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 67 to 72.

It was confirmed that the following items would be carried forward into the work programme for 2021/22:

- Equality Strategy;
- Development of the co-produced Anti-Poverty Strategy – Sarah Kerr requested an update report to the March meeting of the Committee;
- Partnership working with charities and other bodies tackling poverty;
- Update on the operation of the new Street Sweeping contract;
- WBC website development.

Suggested items for the 2021/22 Overview and Scrutiny Committee work programmes would be submitted to the next meeting of the Committee.

RESOLVED That:

1) the Overview and Scrutiny forward work programmes for 2020/21 be noted;

2) suggested items for the 2021/22 Overview and Scrutiny work programmes be considered at the next meeting;

3) a report be submitted to the next meeting with an update on the process for developing the co-produced Anti-Poverty Strategy.

81.   CLIMATE EMERGENCY TASK AND FINISH GROUP

Alison Swaddle, Chairman of the Climate Emergency Task and Finish Group, gave an update on the Group's work programme for 2021. The Group had agreed a programme of meetings running up to June 2021 and had invited a number of WBC officers and external experts to attend. The aim was to submit the Task and Finish Group's second report to the Management Committee at its meeting on 16 June 2021.

Sarah Kerr reported that the LGA had produced a number of tools relating to Behaviour Change which would be useful for the Group.

RESOLVED: That the report be noted.

82.   DATE OF NEXT MEETING

The Committee noted that the proposed date of its next meeting – 31 March 2021 – fell within the May election purdah period. It was suggested that the meeting be rearranged for Tuesday 23 March 2021.

RESOLVED: That the next meeting be held at 7pm on Tuesday 23 March 2021.