

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 5 OCTOBER 2022 FROM 7.00 PM TO 9.30 PM**

Committee Members Present

Councillors: Jim Frewin (Chairman), Andrew Mickleburgh (Vice-Chairman), David Cornish, Andy Croy, Peter Dennis, Graham Howe, Norman Jorgensen, Adrian Mather, Stuart Munro, Gregor Murray and Pauline Jorgensen

Other Councillors Present

Councillor: Sarah Kerr

Officers Present

Neil Carr, Democratic and Electoral Services Specialist
Ian Gough, Energy Officer
Mark Gwynne, Insight, Strategy and Inclusion Specialist
Emily Higson, Head of Insight, Strategy and Inclusion
Will Roper, Customer Insight Analyst and Performance Manager
David Smith, Regeneration Planning Manager
Callum Wernham, Democratic and Electoral Services Specialist

27. APOLOGIES

Apologies for absence were submitted from Alison Swaddle.

Pauline Jorgensen attended the meeting as a substitute.

Stuart Munro attended the meeting on Microsoft Teams.

28. CHAIR'S STATEMENT

Jim Frewin made the following introductory statement:

I want to start tonight with an update. We asked all members of this Committee, prior to our first meeting of the Municipal Year, to tell us what they wanted from Overview and Scrutiny. On top of this we also had a Scrutiny review which highlighted opportunities to improve our Scrutiny. An advanced sight of the draft report was kindly shared with myself and the Vice-Chair. It will be published shortly once it has been reviewed by the Executive and the Corporate Leadership Team. We were fortunate to have the opportunity to discuss the findings with one of the authors, from the Centre for Governance and Scrutiny, prior to the recent Member budget scrutiny training session.

All of this feedback and your original input has indicated that we have an opportunity to improve Scrutiny in Wokingham. As a first step we are working up a proposal to implement a more structured approach to Scrutiny, so that we get opportunities for earlier engagement, take a more structured strategic approach across all our Scrutiny, do a fewer things better rather than lots of things in a rush and try to improve our "constructive critical friend" relationship with officers. Coming to Scrutiny does not need to be a Spanish Inquisition!

We will be looking to share this proposal before our next Overview and Scrutiny meeting. As always, any ideas or contribution you wish to make to this would be welcomed. A key objective of developing a structure and consistency to Scrutiny is that, irrespective of possible annual Member changes, appropriate and relevant Scrutiny can become

seamless. As a start, the Leader and Chief Executive have agreed to meet for regular updates. These will start on a three-weekly basis and we will feedback on progress.

A quick reminder of what we should be aspiring to in these meetings (taken from the Member Scrutiny training sessions earlier in the year. We should strive to:

- Provide constructive “critical friend” challenge;
- Amplify the voice and concerns of the public;
- Be led by independent people who take responsibility for their role;
- Drive improvement in public services.

I am learning as the Chair of this meeting and from lessons from previous meetings. I will try to apply a little more structure tonight. Andrew and Neil are going to help me to identify who wants to speak and we will try to do so in the order that hands are raised. I would ask that questions and any supplementary questions are kept on topic. If you have more than one supplementary question, please ask these after everyone has been given the opportunity to speak.

29. MINUTES OF PREVIOUS MEETINGS

The Minutes of the previous meetings of the Committee held on 7 July 2022 and 8 September 2022 were agreed as a correct record and signed by the Chair, subject to the inclusion of apologies from Gregor Murray for the meeting held on 8 September 2022.

30. DECLARATION OF INTEREST

A declaration of interest was submitted from Andy Croy in relation to Agenda Item 37 – Barkham Solar Farm – Financial Business Case. Councillor Croy stated that he had been appointed to the Barkham Solar Farm Project Board. Consequently he would take part in the discussion of the item but would not vote on any proposals.

31. PUBLIC QUESTION TIME

There were no public questions.

32. MEMBER QUESTION TIME

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

As the Member question related to the Barkham Solar Farm project, the Chair stated that the question would be linked to that item.

As Councillor Cowan could not attend the meeting, the Chair read out the question and answer.

Gary Cowan asked the Chairman of the Overview & Scrutiny Management Committee the following question:

Question

Barkham Solar Farm – Financial Business Case

In the light of the current financial crisis and interest rate rises, along with its impact on borrowing, coupled to the SSEN grid connection agreement set out in the report and the huge increase in energy prices, does the plan as reported fit in as the best available deal for Wokingham and its residents?

Answer

In light of the current rapidly changing financial situation, we have reviewed the potential solar farm at Barkham in line with revised potential rates of borrowing and increasing energy costs, as well as other financial implications for the project. We feel that the financial performance of the scheme is still very robust, as demonstrated in the papers submitted to this Committee this evening.

At this point in time, we still feel that what has been considered thus far, is the best available deal for Wokingham and its residents.

The business case of the project will be continually kept under review throughout the project, in light of changing costs and values, to ensure that financially the Barkham solar farm measures up and continues to provide anticipated payback. Importantly, we will also continue to ensure that it also achieves much needed carbon reduction for the Council as part of the Borough's stated net zero carbon reduction ambitions.

33. Q1 22/23 CORPORATE PERFORMANCE MONITORING REPORT

The Committee considered a report, set out at Agenda pages 19 to 52, which set out details of corporate performance for Quarter 1 of 2022/23 (April to June 2022).

Sarah Kerr (Executive Member for Climate Emergency and Resident Services), Emily Higson (Head of Insight, Strategy and Inclusion) and Will Roper (Customer Insight Analyst and Performance Manager) attended the meeting to present the report and answer Member questions.

The report stated that Key Performance Indicators (KPIs) demonstrated that good performance had continued in Quarter 1 in the face of significant challenges. The challenges included the cost of living crisis, which was driving increased demand for services, high levels of inflation, the ongoing impact of the Covid-19 pandemic and the impact of the Ukraine crisis.

Despite these challenges, the majority of KPIs (18) were Green, with 11 Amber and 5 Red. Services were continuing to take proactive steps to drive strong performance and to manage demand as effectively as possible. There was also a strong focus on assessing risk and ensuring that the Council's stable financial position was maintained.

The five Red KPIs in Quarter 1 were:

- AS1 – Percentage of safeguarding concerns, leading to an enquiry, completed within two working days;
- AS2 – Social work assessments allocated to commence within 28 days of the requests (counted at the point of allocation);
- CEX8 – Early resolution versus Stage 1 customer complaints;
- CS4 – Percentage of Education, Health and Care Plan (ECHP) Assessments completed within 20 weeks of referral;
- RA3 – Usage of Wokingham Borough leisure centres.

The report gave details of the relevant background for each of the Red indicators and the steps being taken to bring the KPIs back on track.

In the ensuing discussion, Members raised the following questions and comments:

On Page 19 of the Agenda there is a reference to the Great Resignation (post-Covid) and later in the report re CEX5 there is a voluntary staff turnover figure of 242. What actions are being taken to improve people retention rates? It was confirmed that the retention of engaged employees, who are able to deliver against the Councils' priorities and corporate objectives are taken seriously by the Corporate Leadership Team (CLT). To ensure that corporate messages are disseminated throughout the business there is a programme of communication which includes weekly Senior Management Team meetings, monthly Extended CLT workshops and Teams briefings to all employees from CEO or Deputy CEO in addition to a monthly newsletter. Furthermore, annual staff engagement surveys along with regular 121's and formal annual appraisals are undertaken, which provide the opportunity for managers and employees to discuss their achievements, objectives and to address any concerns the individuals may have.

CEX5 – Voluntary staff turnover - supplementary questions – Please provide examples of specific programmes aimed at tackling issues relating to staff turnover and/or sickness. Also – Do the staff turnover figures include volunteers who were taken on to support the Council's response to the Covid-19 pandemic? Also – can the response to the questions above include a view from the Trade Unions re the Council as an employer? It was confirmed that a written response would be provided on these points.

The report states (Page 19) that the Place and Growth directorate is reviewing priorities and challenges with the new administration. We are 3 months into the new administration what update do we have on these priorities and challenges? It was confirmed that this was an on-going/live process which was the right approach with the current economic uncertainty due to the cost of living crisis and inflation. Financial sustainability of the Council was the main focus and ensuring the Council does all it can to protect the most vulnerable in our communities. This was a major challenge as there was increased demand without the additional funding to support that demand. In simple terms if there was no additional funding to support the increased demand, then prioritising the limited resources in a targeted approach would be the inevitable outcome. This would need to be a corporate approach, an approach that was not limited to Place and Growth.

On Page refers to ongoing impact of Ukraine Crisis, what are the figures of this ongoing impact? It was confirmed that the medium to long-term impact of the Ukrainian refugee programme was still unknown. To date, any additional financial pressures were being met through central Government funding allocations associated with the scheme. Officers have worked admirably supporting both the Ukrainian families and those generously agreeing to act as hosts. It was unclear at this stage what demands may be asked of the Council going forward but officers would keep Members updated as the situation developed.

Supplementary questions on the Ukraine Crisis – Please provide information on the Government's longer term support and funding proposals (if known) to support Ukrainian refugees living in the Borough, following the Homes for Ukraine Scheme. What are the potential longer term impacts and risks for the Borough and what are the potential impacts on Council services? It was confirmed that a written response would be provided on these points.

CEX4 – Proportion of WBC staff who have self-declared their ethnicity and disability information via BWO – Q1 data indicated that 70% of staff had self-declared - what actions were being proposed to improve this percentage? It was confirmed that there was ongoing communication activity to encourage staff to update their ethnicity and disability information on BWO. This was part of the wider BWO improvement project.

PG4 – Percentage of “standard” works orders completed within 28 days – this KPI was showing a downward trend - what actions are being proposed? It was confirmed that the drop-off in performance had been addressed with the contractor who had been told that it needed to improve. Financial penalties have been raised for substandard performance and will continue to be issued until service standards are corrected in line with the KPI's required within the contract.

RA5 – Number of FOI requests handled within statutory timeframes was showing performance of 83.5% in Q1 against a target of 90%. What was the actual number of FOI requests received and what was the trend? It was confirmed that 278 FOI requests had been received in Q1 of 2022/23.

RA5 – supplementary questions – Please provide a breakdown of the type of FOI requests received, service areas included, the source of the requests (e.g. public, media, etc.) and the impact on WBC officers (e.g. time taken to provide responses). It was confirmed that a written answer would be provided.

CEX 8 – Early resolution versus Stage 1 complaints - Stated that “formal complaints often centre around problems with communication.” What are some of the common examples and in what ways does the new training address requirements of residents with specific needs – including those with different types of disabilities and for whom English may be a foreign language? It was confirmed that examples included no regular updates after a request for service or information has been submitted, thereby leaving customers in the dark about what was happening. As a result, this leads to further frustration and failure demand as customers are then having to chase us to find out what's happening. Another example is where officers make a decision but do not explain clearly the reasoning behind it – or we think we have, but the customer does not understand as we have not been clear in our explanation, or perhaps used jargon or the wrong language in our response. The training we are giving is around a “3C” concept, making sure that we communicate with Care, Clarity and Confidence. This includes making sure that we choose the right communication channel for the customer, and ensure that we consider any additional needs that they may have. When customers submit a complaint, we also ask them how they wish to be communicated with.

CEX7 - Overall customer satisfaction across phone and web was RAG rated Green, with a new approach being designed to set customer service KPIs. How was this KPI currently measured, and can you share any details of how the new measurements might be different? It was confirmed that the Council currently used Gov Metric to gather customer feedback and satisfaction levels around their experience across: calls into the main Council number, face to face interactions at Shute End and in Libraries, on all web chats, on all web pages including microsites and on some team emails. Performance currently reported was the overall satisfaction level across phones and website, where we received the highest volume of feedback. Officers are looking to roll out Gov Metric further across other channels as part of the Customer Excellence Programme.

The increasing complexity of demand on many of the service areas is reported repeatedly. Are there any specific areas of 'preventative activity' that WBC would like to undertake but have been unable to do so or would like to prioritise going forward? Is there any empirical evidence of the cost and other impacts that this increased complexity is having on service delivery – including the quality of services, on staff, and costs? It was confirmed that this was a complex question that required further investigation. The suggestion would be that this could be on the Scrutiny forward programme for a deep dive or a task and finish group. Also, as it covered a wide range of services this would need to cut across Children's and HOSC Committees as well as the O&S Management Committee.

RA4 – Return on investment portfolio (Property Investment Fund) - Does the return on investment portfolio include all of the Council's commercial properties and all costs, including officer time, security and maintenance of un-let properties? Can you please also give summary details of the profile of properties in the portfolio that are not let, such as numbers of any that have been tenanted for six months or longer; and an estimate of the number of any that might require considerable expenditure to bring them to a 'lettable' standard? It was confirmed that the measure related to the ten commercial property assets held in the Council's investment portfolio in accordance with the Council's approved investment strategy. The rate of return was measured in the conventional manner, applying the passing rent to the total acquisition cost of the asset, and was therefore a reflection of the headline yield before allowance for debt, MRP and holding costs (if any). For the five single let assets the holding costs were zero. For the five multi-let assets any holding costs varied according to whether or not any of the properties had unlet units from time to time. The running costs of multi-let properties were covered by a service charge fund contributed by the tenants so they paid their own running costs. The landlord contributed only in respect of any unlet units. Two properties were currently being considered for refurbishment to enhance the re-letting of vacant units.

RA4 – supplementary question – Was it possible that the Rate of Return could be lower than reported, depending on the types of property within the Council's portfolio? It was confirmed that a written answer would be provided on this issue.

AS1 – Percentage of safeguarding concerns leading to an enquiry, completed within two working days and AS2 – Social work assessments allocated to commence within 28 days of the requests – What was the rationale for setting the targets relating to these two KPIs? It was confirmed that a detailed response would be circulated to Members outside the meeting. It was noted that these KPIs were reviewed by HOSC, so a response should be submitted to HOSC Members.

Resources and Assets Top Wins (Page 28) – the general upwards trend of leisure participation and the success of the move with confidence programme. Was this statement consistent with the Q1 performance data (RA3) which indicated a downturn in attendance figures for the Borough's leisure centres? It was confirmed that the longer term trend was improving and that visitor numbers for the Carnival Hub would be included in the Q2 figures.

CEX3 – Proportion of Wokingham-resident pupils eligible for Free School Meals in Wokingham Borough schools – What criteria were used to determine the allocation of free school meals? It was confirmed that decisions were based on criteria set out on the Government website.

PG1 – All recorded crime in Wokingham Borough (excluding fraud) – It was confirmed that Q1 performance showed an improvement, so the direction of travel should be “Better”, not “Worse” as set out in the report.

Sarah Kerr confirmed that the Overview and Scrutiny Committees would be able to discuss the emerging KPIs for 2023/24 (along with the associated targets) with the relevant Executive Members and officers.

RESOLVED That:

- 1) Sarah Kerr, Emily Higson and Will Roper be thanked for attending the meeting to answer Member questions on the Q1 performance report;
- 2) performance relating to the KPIs within the purview of the Management Committee be noted;
- 3) written responses be provided for the Member questions which could not be answered at the meeting.

34. CLIMATE EMERGENCY OVERVIEW AND SCRUTINY COMMITTEE

The Committee considered a report, set out at Agenda pages 53 to 58, which gave details of Member request to establish a Climate Emergency Overview and Scrutiny Committee.

The Committee had given initial consideration to this request at its meeting on 7 July 2022. The decision was deferred until tonight’s meeting in order to provide further information on a number of points raised by Members.

The report stated that the Management Committee’s terms of reference enabled it to propose amendments to the composition and terms of reference of Overview and Scrutiny Committees, subject to approval by full Council. The proposed Climate Emergency Overview and Scrutiny Committee would provide a central focus for scrutiny of the Council’s Climate Emergency Action Plan. Detailed draft terms of reference for the Committee were appended to the report.

If approved, the new Overview and Scrutiny Committee would fit into the existing Scrutiny structure with the Chair sitting on the Management Committee. The report proposed a Committee membership of four Wokingham Borough Partnership Members and three Conservative Members.

RESOLVED That Council be recommended to approve:

- 1) the establishment of a Climate Emergency Overview and Scrutiny Committee, as set out in the report;
- 2) the proposed terms of reference for the Climate Emergency Overview and Scrutiny Committee (Annex A);
- 3) that the composition of the new Overview and Scrutiny Committee be four Wokingham Borough Partnership Members and three Conservative Members, plus substitute Members (four/three) as advised by the Group Leaders;
- 4) that the Chair and Vice-Chair of the new Committee be elected at its first meeting.

35. BARKHAM SOLAR FARM - FINANCIAL BUSINESS CASE

The Committee considered a report, set out at Agenda pages 93 to 106, which gave details of the financial business case for the proposed Barkham Solar Farm. (The Committee considered Part II financial information in private after excluding the public).

Sarah Kerr (Executive Member for Climate Emergency and Resident Services) attended the meeting, supported by officers, to present the report and answer Member questions.

The report stated that energy generation was one of the key priorities in the Council's Climate Emergency Action Plan (CEAP). The Barkham Solar Farm was a specific project within the CEAP.

The financial business case for the Barkham Solar Farm was approved initially by the Executive and Council in 2021. The forecast costs and revenues were based on the best estimates available at that time. The latest report included an update on the Capital costs of the project together with the General Fund Income and Expenditure forecast (Part II).

The latest forecasts indicated a net income (after Capital financing costs) over the 25 year life of the project of 67.16m (£2.69m per annum on average). This compared to the initial expenditure of £26.85m. The forecast return compared extremely variably against the forecast return of £480k per annum in the 2021 business case.

On 30 June 2022, a Special Council Executive Committee meeting approved the procurement strategy for the contractor required for the construction of the solar farm. The report stated that procurement of the contractor was progressing via a framework with the appointment expected in November 2022. The current delivery programme indicated that the solar farm would commence operation in the summer of 2024.

In the ensuing discussion, Members raised the following points:

In relation to the technical business case for the Barkham Solar Farm – had the business case been reviewed by technical experts? It was confirmed that officers had held discussions with other Councils which had developed solar farms and were using technical consultants in order to ensure that the project was a success.

In relation to discussions with SSEN, had a deal been agreed for grid connection for the solar farm? It was confirmed that a price for the grid connection had been agreed and formally accepted. It was suggested that the Council should lobby the Government and the energy companies to ensure that the price of grid connections was reasonable.

What was the impact of recent events on the financial business case for the solar farm? It was confirmed that the calculations in the business case were prudent and that the current state of the energy market indicated higher returns than those stated in the report. Interest incurred in funding the project would be repaid over its lifetime.

What was the break-even rate for electricity prices? It was confirmed that a written response would be provided for this question.

What was the current availability of solar panels to supply the project? It was confirmed that there were some delays in delivery. However, a combination of pre-ordering and work with the contractor would mitigate any supply issues.

The solar farm had a project life of 25 years. How had this lifespan been determined? It was confirmed that the 25 year period was based on the lifespan of the equipment used in the project. The relevant planning permission had been granted for 25 years.

The report referred to the option of “sleeving” the electricity output directly to WBC’s operational portfolio through a licenced supplier. Were any additional costs relating to sleeving contained within the business case? It was confirmed that the two potential options (export to the grid or supplying WBC) had been evaluated and both stacked up financially. The options would be assessed and evaluated further as the project progressed.

Did the solar farm project envisage the use of batteries to extend the period for energy usage? It was confirmed that the project did include the installation of batteries – details would be discussed with the design and build contractor. The location and screening for batteries would be discussed with the Council’s Planning team in due course.

RESOLVED That:

- 1) Sarah Kerr and the relevant officers be thanked for attending the meeting to answer Member questions;
- 2) responses to Member questions not answered at the meeting be circulated to the Committee in due course;
- 3) following the Committee’s consideration of the financial business case for the Barkham Solar Farm, the following points be referred to the Executive:
 - a) the Overview and Scrutiny Management Committee has reviewed and scrutinised the financial business case for the Barkham Solar Farm;
 - b) the Committee identified a number of issues requiring further officer investigation and feedback, including: break-even calculations, risks relating to changes in the energy market and the pros and cons of split versus turnkey projects;
 - c) whilst the Executive should consider these issues fully, the Overview and Scrutiny Management Committee supports the Barkham Solar Farm project in principle and believes that it should proceed in a timely manner;
 - d) the Council should lobby the Government and Energy Companies in relation to charges for grid connection, in order to ensure that charges are realistic and viable for Councils and other affected organisations.

36. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12 A of the Act (as amended) as appropriate.

37. BARKHAM SOLAR FARM - PART II DISCUSSION

The Committee scrutinised Part II papers relating to the Barkham Solar Farm Financial Business Case.

38. CORPORATE PERFORMANCE TASK & FINISH GROUP

The Committee considered a report, set out at Agenda pages 59 to 63, which gave details of a proposed Corporate Performance Task and Finish Group.

The report stated that, at its meeting on 7 July 2022, the Committee had agreed in principle to establish the Task and Finish Group subject to further detail on the group's terms of reference and composition. The task and finish group would seek to develop recommendations for measures which could be added to the KPIs currently reported to Members with a view to understanding more about outcomes and the service experience of residents.

The report noted that research and activity was already under way in this area via the Council's Customer Excellence Programme. The proposed task and finish group would seek to work closely with this the relevant officer team to ensure a joined up approach.

Appended to the report were draft terms of reference and proposed membership for the task and finish group. It was suggested that the task and finish group report back to the Management Committee at its meeting in January 2023.

RESOLVED That:

- 1) a Corporate Performance Task and Finish Group be established, to review the current performance management reporting process and its impact on service improvement and the resident experience;
- 2) the proposed Terms of Reference for the Task and Finish Group (Annex A to the report) be approved;
- 3) the task and finish group submit a report to the meeting of the Committee held on 18 January 2023.

39. EXECUTIVE AND IEMD FORWARD PROGRAMMES

The Committee considered the latest Executive and Individual Executive Member Decision forward programmes, set on Agenda pages 65 to 76.

RESOLVED: That the forward programmes be noted.

40. O&S COMMITTEE WORK PROGRAMMES 2022/23

The Committee considered its work programme and the work programmes for the three Overview and Scrutiny Committees, as set out on Agenda pages 77 to 88.

Adrian Mather suggested that the Committee scrutinise the performance of Thames Water and SSE. This would include inviting senior managers from each organisation to attend a Scrutiny meeting, potentially an extraordinary meeting.

RESOLVED That:

- 1) the Overview and Scrutiny Committee work programmes be noted;
- 2) an extraordinary meeting of the Management Committee be organised in order to scrutinise the operations and effectiveness of utility companies – Thames Water and SSE;
- 3) senior representatives from each utility company be invited to attend the Scrutiny meeting;
- 4) the Committee agree, in principle to an additional meeting in December 2022, as necessary.

41. ACTION TRACKER

The Committee considered the latest Action Tracker report, set out at Agenda pages 89 to 92.

RESOLVED That the Action Tracker report be noted.