

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 15 MARCH 2023 FROM 7.00 PM TO 10.30 PM**

Committee Members Present

Councillors: Jim Frewin (Chair), Andrew Mickleburgh (Vice-Chair), David Cornish, Andy Croy, Peter Dennis, Norman Jorgensen, Pauline Jorgensen, Stuart Munro and Alison Swaddle

Other Councillors Present

Councillors: Morag Malvern, Bill Soane, Rachel Bishop-Firth, Sarah Kerr and Ian Shenton

Officers Present

Neil Carr, Democratic & Electoral Services Specialist
Simon Dale, Director of Place & Growth
Graham Ebers, Deputy Chief Executive & Director of Resources & Assets
Andy Glencross, Head of Environmental Services
Emily Higson, Head of Insight, Strategy & Inclusion
Will Roper, Customer Insight Analyst & Performance Manager
Sally Watkins, Chief Operating Officer
Callum Wernham, Democratic & Electoral Services Specialist
Jackie Whitney, Strategic Lead - Customer Excellence, Change & IT

1. APOLOGIES

Apologies for absence were submitted from Graham Howe and Adrian Mather.

Morag Malvern and Bill Soane attended the meeting as substitutes.

2. STATEMENT BY THE CHAIR

Jim Frewin made the following statement:

At the beginning of this Municipal Year we were given peer feedback that Wokingham's Overview and Scrutiny function needed to be improved. We set out to do this and I believe that we are on the right path. Elections will inevitably change the make-up of the Committees. Elections always do this.

I want to thank all the Members for trying to improve, not only what we do but how we do Overview and Scrutiny. I believe that it has been a worthwhile attempt. I would ask that those that return next year to keep pushing for improvement. Do not waste the progress we have made. I believe we have shown that it can be different. Please keep that going.

Having said that, our last meeting provided some challenges, so I wish to make a couple of points on the role of Overview and Scrutiny Members.

The front of each Overview and Scrutiny Agenda includes the following statement:

"The role of Overview and Scrutiny is to provide independent "critical friend" challenge and to work with the Council's Executive and other public service providers for the benefit of the public. The Committee considers submissions from a range of sources and reaches conclusions based on the weight of evidence – not on party-political grounds."

The WBC Constitution also includes the following paragraph:

6.3.12 The Party Whip - the Council views the use of the Party Whip as incompatible with the aims of Overview and Scrutiny. When considering any matter in respect of which a Member of the Overview and Scrutiny Management Committee, Overview and Scrutiny Committee or Task and Finish Group is subject to a party whip the Member must declare it, before commencement of the Committee's deliberations on the matter and detail of the whipping arrangements shall be recorded in the minutes of the meeting.

The Constitution also states:

9.2.7 Standards of Councillor conduct. This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

9.2.8.1 Respect as a Councillor:

- a) I treat other Councillors and members of the public with respect.
- b) I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions, and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

This is a gentle reminder to everyone after the behaviours at the last meeting. We now move on to tonight's Agenda.

3. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 22 February 2023 were confirmed as a correct record and signed by the Chair.

4. DECLARATION OF INTEREST

There were no declarations of interest.

5. PUBLIC QUESTION TIME

There were no public questions.

6. MEMBER QUESTION TIME

There were no Member questions.

7. Q3 22/23 CORPORATE PERFORMANCE MONITORING REPORT

The Committee considered a report, set out at Agenda pages 13 to 58, which gave details of performance management for the period October to December 2022 (Q3). The report gave details of the Key Performance Indicators (KPIs) which measured how each service was delivering against its current objectives.

Sarah Kerr (Executive Member for Climate Emergency and Resident Services) to present the report and answer Member questions. Also in attendance were: Sally Watkins (Chief

Operating Officer), Emily Higson (Head of Insight, Strategy and Inclusion) and Will Roper (Customer Insight Analyst and Performance Manager).

The report gave details of 40 KPIs which were measured against SMART targets (Specific, Measurable, Achievable, Realistic and Timely), taking into account historic trend information and benchmarking. The KPIs were assigned a RAG status (Red for on target, Amber for close to target and Red for missing the target).

Highlights from the Q3 period included:

- a significant increase in the % of people with a learning disability who lived on their own or with friends or family. This had been achieved by the Specialist Accommodation project which had provided 30 new homes for people with adult care needs.
- a positive Peer Review of the Virtual school confirmed the considerable improvements made in our offer to Children in Care - including UASC.
- creation of community led cost of living response with council officers and the Hardship Alliance and the introduction of Warm Hubs across our library estate.
- continued reduction in the revenue forecast overspend and control of the capital programme spend.
- a positive peer review revisit from the LGA focused on the demonstrable progress and palpable change delivered since the initial review.

The report stated that, looking forwards, rising inflation would continue to cause challenges nationally with forecasts suggesting it would continue for some time. Inflation drove up the costs of everything the Council did. It also increased demand for many services and compounded this with more complex issues.

The following KPIs were reported as Red for Quarter 3 of 2022/23:

- AS1: Percentage of safeguarding concerns, leading to an enquiry, completed within two working days;
- CS3: Percentage of Children in Care who are 20 miles+ from their homes and out of Borough;
- CS4: Percentage of Education, Health and Care Plans (EHCP) Assessments completed within 20 weeks of referral;
- CS5: Percentage of 16-17 year olds with Activities/Destinations not known.

The report gave details of the corrective action being taken to address these Red KPIs. The report also stated that seven KPIs were currently without targets. There were various reasons for this, including new indicators which were bedding in in order to establish baseline performance before regular monitoring commenced.

In the ensuing discussion, Members raised the following points:

CEX6 – WBC Staff Sickness Absence – were there any underlying reasons impacting on the level of absence rates in Q3? It was confirmed that Q3 tended to see an increase in sickness due to colds, flu and respiratory illnesses. It was also noted that work was ongoing on a new managing absence policy which would enable managers to manage absence effectively with a view to reducing absence rates. This would include more detailed guidance on Occupational Health and the Council's Employee Assistance Programme.

RA9 – Participation in physical activity sessions to support those who may be experiencing social isolation – what actions were being taken to generate greater uptake? It was confirmed that the impact of Covid was still being felt and work was ongoing with the Public Health team to encourage vulnerable residents to re-engage and participate in beneficial activities. This issue had links with the HOSC agenda relating to social isolation and the Arts and Culture agenda.

KPIs which were Green but deteriorating – were there any specific trends? It was confirmed that a number of national issues (cost of living crisis, inflation, state of the economy, etc.) were impacting on a range of KPIs. As a result, KPIs were under close scrutiny. There were also other factors involved including changes in legislation, demand management, increased complexity of cases and the fact that funding did not always follow the new responsibilities given to councils.

PG4 – Percentage of "standard" work orders completed within 28 days – did this KPI relate to the highways service? It was confirmed that PG4 did relate to highways work orders. This would be clarified in the Q4 report.

PG5 – Total (and concessionary) passenger numbers on WBC town contracted services – this KPI did not have a target, when would a target be introduced? It was confirmed that PG5 was under review with the aim of setting a target for the new Municipal Year.

PG9 – Percentage of household waste reused, recycled and composted – why was target 52% for each quarter when Members were told in the summer of 2022 that the intention was to increase recycling? It was confirmed that performance against this KPI was under review and that further information would be provided for Members. Members also sought clarification about the recycling incentive scheme (Greenredeem). Was it still operating and what impact was it having?

Children's Services Challenges – demand for school places and measures to deliver increased capacity for Year 7 – what was the ongoing data modelling telling us about future demand for school places? It was confirmed that the situation had become more challenging with the advent of academies which were able to make their own decisions about capacity in schools. It was important to work closely with the DfE and local schools/academies. A key issue was minimising school related travel across the Borough. Andrew Mickleburgh confirmed that the issue of school sufficiency would be considered by the Children's Services Overview and Scrutiny Committee.

CS4 – Percentage of Education, Health and Care Plan Assessments completed within 20 weeks of referral – what steps were being taken to increase capacity for Education Psychologists to provide timely statutory advice? It was confirmed that steps were being taken to recruit more staff and to "grow our own". Work was also ongoing to make WBC a more attractive place to work, thereby retaining key members of staff.

RA10 – Completion time and budget for regeneration projects for Carnival Pool – in terms of the RAG rating, parts of the project had been delivered on time whilst others (library and residential units) had been delayed. Would it make sense to split the project into two KPIs? It was confirmed that the primary objective had been to deliver the sports centre on time – this was achieved. Officers would look at splitting the KPI for future reporting.

RESOLVED That:

- 1) Sarah Kerr and the supporting officers be thanked for attending the meeting to present the Q3 report and answer Member questions;
- 2) the additional information on KPIs, requested during the discussions, be circulated to Members;
- 3) the issue of school sufficiency (places) be considered by the Children's Services Overview and Scrutiny Committee;
- 4) Members receive an update on the recycling incentive scheme (Greenredeem).

8. EQUALITY PLAN UPDATE

The Committee considered a report, set out at Agenda pages 59 to 72, which provided an update on progress against the targets in the Council's Equality Plan.

Rachel Bishop-Firth (Executive Member for Equalities, Inclusion and Fighting Poverty) attended the meeting to present the report and answer Member questions. Also in attendance were Sally Watkins (Chief Operating Officer), Emily Higson (Head of Insight, Strategy and Inclusion) and Bryony Gibbs (Senior Specialist – Equality, Insight and Inclusion).

The report stated that, in March 2021, the Council approved the Equality Plan 2021-25 to deliver a programme of improvements against the Equality Framework for Local Government (EFLG). The EFLG is a framework of continuous improvement designed help local authorities build equality into all aspects of service delivery and employment.

The Overview and Scrutiny Management Committee received a report, at its meeting on 23 February 2022 on the progress achieved in the first year of the programme, together with the action plan for 2022/23. This report presented an update on progress made in 2022/23 against the annual Action Plan and set out proposed actions for the 2023/24 Action Plan. A cross-party working group had been set up to provide strategic oversight of the programme throughout the year.

The report stated that a self-assessment against the EFLG conducted in December 2022 indicated that the Council was at the 'Developing' level of the framework. This meant that the organisation had established the building blocks for progression, had made an organisational commitment to improving equality and was putting in place processes to deliver on equality issues. Delivery of actions in 2021/22 and 2022/23 had consolidated this position and was supporting progress towards the 'Achieving' standard. The action plan for 2022/23 comprised 11 actions, as set out in the report. The proposed action plan for 2023/24 was appended to the report.

In the ensuing discussion, Members raised the following points:

The Equality Forum was now up and running – were there any plans for the Equality Forum to interact with the Council's Overview and Scrutiny Committees, for example by sending a representative to a Scrutiny meeting? It was confirmed that the Equality Forum be asked if it wished to send a representative to a future Overview and Scrutiny meeting.

How did WBC ensure that contractors and suppliers met the Council's equality requirements? It was confirmed that equality requirements were included within contract documents. Work was also ongoing to develop a charter setting out the Council's corporate social value expectations. The Equality Forum acted as a critical friend to the Council in areas such as this. It was suggested that the draft corporate social value document be submitted to the Committee for scrutiny and feedback.

Did the Equality Plan and supporting documents use "plain English" which would enable all residents and local groups to engage with the process? It was confirmed that this point would be considered with a "plain English" review of the key documents.

Whilst there was good progress on the various actions, was there a plan and timeframe for moving to the "achieving" standard set out in the Equality Framework for Local Government? It was confirmed that the Equality Framework for Local Government was very detailed, with 17 targets under four improvement modules with three levels of achievement – developing, achieving and excellent. Further progress reports would be submitted to Members as the Council progressed to the next level – "achieving".

Was the former BME Forum still operating? It was confirmed that, as far as officers were aware, the BME Forum had ceased to operate. The new Equality Forum had sought to be independent from WBC. It was suggested that Members receive an update on the terms of reference and operation of the new Equality Forum.

RESOLVED That:

- 1) Rachel Bishop-Firth and the supporting officers be thanked for attending the meeting to present the report;
- 2) progress on delivery of the Equality Action Plan and the proposed actions for 2023/24 be welcomed;
- 3) Members receive an update on the new Equality Forum;
- 4) the Committee receive further updates on progress in due course.

9. CUSTOMER EXPERIENCE STRATEGY - DRAFT

The Committee considered a report, set out at Agenda pages 73 to 88, which gave details of the draft Customer Experience Strategy which provided direction and focus around improving the experience for customers interacting with WBC. The draft Customer Experience Strategy 2023/28 was appended to the report.

Sarah Kerr (Executive Member for Climate Emergency and Resident Services) attended the meeting to present the report and answer Member questions. Also in attendance were Sally Watkins (Chief Operating Officer) and Jackie Whitney (Strategic Lead – Customer, Change, Digital and IT).

The report stated that the Customer Experience Strategy addressed several 'pain points' for customers which were identified through feedback gathered over the previous 12 months. Feedback and input has been gathered from the Council's workforce, residents, businesses, partners and community groups to inform the content and design of the strategy. This included the Equality Forum, CLASP and the Youth Council.

It was clear that residents had inconsistent customer experiences when they interacted with the Council. There were pockets of excellence, but the customer experience was not owned by everyone. The strategy outlined the vision and ambition around delivering a more consistent customer experience. Key points included:

- the strategy covered five years - WBC did not currently have a Customer Experience Strategy that set a direction or areas of focus for improvement;
- the Strategy aligned to the Council Plan around 'Changing the way we work for you' and 'Being the best we can be'. It also aligned to the Equality Plan;
- within the Strategy, the Customer Charter defined the type of experience customers should receive when they interact with the Council;
- the Strategy drove the use of Customer data and insight as part of delivering a more customer-centric culture based on a foundation of continuous improvement across the Council;
- savings could be realised as a result of better customer experiences, reducing the cost of failure and avoidable demand, and channel shift to improved digital services;
- the term 'customer' referred to anyone that interacted with the Council – it was terminology that would be tested again during public consultation;
- the format had been designed in a way that made it easy for people to understand – an Easy Read version would also be made available.

In the ensuing discussion, Members made the following points:

How would success be measured in the journey to customer excellence? It was confirmed that adopting suitable KPIs would be essential. Pilot projects in service areas such as housing would help to understand and measure the customer experience. Feedback from these pilot projects would be submitted to Overview and Scrutiny for comment. The Council was also using the Govmetric system which measured issues such as contacting the Council, friendliness and helpfulness of staff and the level of first time fixes. Service surveys using freestyle comment boxes would also be used.

The development of insights would take time and resources – how would this process be managed? It was confirmed that this would be part of the Council's Organisational Development Programme, supported by the business intelligence team. Customer focus groups would also be used to gather data and feedback.

It was important to ensure that technology was able to support delivery of the new strategy. It was confirmed that the aim was to deliver first time fixes and to ensure that map based systems provided accurate, up-to-date information to customers. Further progress reports on the implementation of the Esri mapping system would be provided to Members in due course.

RESOLVED That:

- 1) Sarah Kerr and the supporting Officers be thanked for attending the meeting to present the draft strategy and answer Member questions;

- 2) the draft Customer Experience Strategy be welcomed and supported;
- 3) comments and feedback from the Committee be incorporated into the draft Customer Experience Strategy prior to its submission to the Executive.

10. BIODIVERSITY NET GAIN PILOT PROJECT

The Committee considered a report (set out in the Supplementary Agenda) which gave details of a proposed Biodiversity Net Gain pilot project.

Ian Shenton (Executive Member for Environment) attended the meeting to present the report, supported by Andy Glencross (Head of Environmental Services).

The report stated that a minimum 10% biodiversity net gain was expected to become mandatory for all Town and Country Planning Act developments from November 2023 (although the principle of biodiversity net gain was already required through the current National Planning Policy Framework). Under the new arrangements, developers would be required to carry out an assessment (using the nationally set BNG metric tool) of the current biodiversity value of their site both prior to and post the development proposal. In the event that the value of the site post development was less than 10% better than it was prior to development then the developer would have an obligation to provide additional off site BNG units to achieve the mandatory 10% net gain.

Whilst this change to the planning system would involve some additional regulatory burdens in terms of the development management process and a significant new burden on developers (including for WBC projects), there would also be opportunities for the Council to be a provider of BNG units through the ecological enhancement of existing Council owned sites such as Countryside Sites, Public Open Spaces and farmland.

The report stated that the Government envisaged a market approach to the provision of offsite BNG units where the income received through the sale of BNG units should cover all of the capital, monitoring and ongoing maintenance costs (for at least 30yrs) and provide a capital receipt to the landowner. There was currently some uncertainty over the level of local need for BNG units and as a consequence officers were proposing a pilot project at Ashenbury Park in 2023/24 in order deliver immediate requirements and to test the local market. Officer would use this pilot project to inform a project plan to deliver BNG units at other Council owned sites in future year if required.

It was intended that there would be a short consultation on the detailed scheme proposals in early summer 2023, with all initial planting and seeding works due to be completed by March 2024.

In the ensuing discussion, Members raised the following points:

What was a Biodiversity Net Gain unit? It was confirmed that BNG units were part of a methodology used to measure habitats. Using a Government developed tool, existing sites could be overlaid with biodiversity improvements which were translated into a points system. In effect, it was a type of offsetting – developers had to demonstrate that they could deliver a minimum of 10% BNG. BNG units could be purchased from any landowner (public or private) prepared to create and maintain new/enhanced habitats, including restriction on other uses of a site for 30 years. There was an opportunity for WBC to

become a provider of BNG units through the enhancement of sites such as Ashenbury Park and other countryside sites and public open spaces.

If the project went ahead, would Ashenbury Park become a country park? It was confirmed that the park's designation would not be changed. The car park and play area would remain under amenity management. Ashenbury Park was estimated to be a 25 hectare site. The proposed improvements were likely to generate circa 35 BNG units.

Once completed, would the site be included in WBC's asset register? It was confirmed that the Council would have to maintain the BNG units for 30 years. After that they could not be re-sold – this was Government policy.

Members noted that BNG was a type of carbon offsetting, which had been in place for many years. In relation to BNG was the aim to promote diversity of habitats or maximise income generation for the Council? It was confirmed that there would have to be a balance – it was more than just tree planting, it was about a variety of habitats.

How did BNG differ from earlier measures such as the development of SANGs linked to new development? It was confirmed that the key difference was that BNG was a measurable rather than a subjective system. Looking ahead, new strategic SANGs may be combined with the BNG system. It was important that the BNG system was attractive to private landowners as well as local authorities. BNG did not alter the normal environmental protections in the Planning system.

In years ahead, how would the BNG be monitored and reported? It was confirmed that the Government was proposing to set up a register for allocation of BNG units. In addition providers of BNG units would be required to submit regular progress reports to the planning authority throughout the 30yr period.

Members queried the approach to public consultation over the pilot project. Would consultation take place before the project was implemented? Members felt it important that local residents had the chance to comment on the proposals before work started on the ground. This included an understanding of the BNG system and the benefits for local communities. It was confirmed that consultees would include residents, ward Members and Woodley Town Council. It should be possible to complete a consultation exercise before the relevant planting season commenced in the autumn of 2023.

What safeguards existed to ensure that BNG improvements were near to the sites taking new development? It was confirmed that a "temporal discount rate" would be applied – this meant that the value of BNG units reduced the further away the BNG site was from the development site.

The Committee agreed that its comments and questions be submitted to the Executive in order to inform the discussion on the proposed pilot project at Ashenbury Park.

RESOLVED: That the following recommendations be submitted to the Executive as part of its consideration of the Biodiversity Net Gain pilot project at Ashenbury Park:

- 1) officers ensure that there is clear communication with residents and community groups about the aims of the BNG pilot project in Ashenbury Park and the expected outcomes;

- 2) design work on the pilot project proceed, but no physical works take place on site until the public consultation has been completed, evaluated and reported - consultation to include an option with no changes to Ashenbury Park;
- 3) officers explore potential mitigations relating to the financial risks and outcomes relating to the project;
- 4) the Executive notes Scrutiny Members' concerns about the potential negative impact on communities if BNG projects are not linked to the areas which are taking new housing development;
- 5) the Executive receive a map showing the proposed pilot project site within Ashenbury Park (included with this paper);
- 6) officers provide a briefing for all Members on the introduction of BNG into the planning process and the specific pilot BNG project in Ashenbury Park.

11. O&S WORK PROGRAMMES 2023/24

The Committee considered a report, set out at Agenda pages 89 to 102, which gave details of draft work programmes for 2023/24 for the Management Committee and the four Overview and Scrutiny Committees.

The report stated that effective work programming was a Member-led process aimed at shortlisting and prioritising issues of community concern together with issues arising out of the Community Vision and Corporate Delivery Plan and major policy or service changes. It aimed to:

- reflect local needs and concerns;
- prioritise topics for scrutiny which have the most impact or benefit;
- involve local residents and stakeholders;
- be flexible enough to respond to new or urgent issues.

Each year the Committee approved work programmes for itself and the Council's Overview and Scrutiny Committees. Recent discussions following the external Scrutiny Improvement Review had indicated the need for the work programming process to be more robust and for improved monitoring during the year.

Suggested work programme items were appended to the report for Member consideration and approval. These included items suggested following a public consultation exercise.

RESOLVED That:

- 1) the draft Overview and Scrutiny Work Programmes for 2023/24 (Annex A) be agreed and be submitted to the relevant Overview and Scrutiny Committees for implementation;
- 2) the additional Scrutiny requests from residents, Members and Town/Parish Councils be given further consideration by the relevant Overview and Scrutiny Committee;
- 3) further items be added to the Work Programmes during 2023/24, as necessary.

12. CONSIDERATION OF THE CURRENT EXECUTIVE FORWARD PROGRAMME

The Committee considered a copy of the Executive Forward Programme as set out on Agenda pages 103 to 114.

RESOLVED: That the Executive Forward Programme be noted.

13. O&S FORWARD PROGRAMMES 2022/23

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees, as set out on Agenda pages 115 to 122.

In relation to the Budget Scrutiny carried out by the Community and Corporate Overview and Scrutiny Committee, it was noted that the role of the Committee was to sense check the overall Budget proposals but also to provide robust “critical friend” challenge on Budget issues of interest to local residents and community groups.

RESOLVED: That the Overview and Scrutiny Work Programmes for the remainder of 2022/23 be noted.

14. ACTION TRACKER

The Committee considered the latest Action Tracker report, set out at Agenda pages 123 to 126.

RESOLVED: That the Action Tracker report be noted.