

MINUTES
OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE

held on 13 September 2021

Present:

Cllr J R Sanderson (Chairman)
Cllr S Hussain (Vice-Chair)

Cllr J Brown Cllr A Kirby
Cllr S Dorsett Cllr M I Raja

Also Present: Councillors S Ashall, A Azad, A-M Barker and D Harlow.

Absent: Councillors R N Leach, R Mohammed and E Nicholson.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Leach, R Mohammed and E Nicholson.

2. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on Monday, 12 July 2021 be approved and signed as a true and correct record.

3. MATTERS ARISING FROM THE PREVIOUS MINUTES

Health and Wellbeing Strategy

The Chairman noted that the item on Health and Wellbeing Strategy had been considered by the Executive before being adopted by Council at its meeting on 30 July 2021.

Work Programme

A proposal to undertake a scrutiny review of the Housing Infrastructure Fund (HIF) scheme, discussed at the last meeting, appeared later on the agenda.

Performance and Financial Monitoring Information

It was noted that Councillor Nicholson had suggested the possibility of arranging a briefing for Members on the Performance and Financial Monitoring Information (the 'Green Book'). Progress on arranging an event would be considered outside of the meeting.

4. URGENT BUSINESS

There was no urgent business to discuss.

5. DECLARATIONS OF INTEREST

No declarations of interest were received.

6. HOUSING SERVICES REVIEW 2021 - UPDATE OSC21-019.

The Committee received a report providing an update on the Housing Services Review which had been undertaken over the past year. Following completion of the review, a new Housing Strategy had been prepared before being adopted by Council in July 2021 following a public consultation. The Housing Strategy set out the Council's vision for the period 2021 to 2026, covering the scope of the Authority's Housing Services and complementing other policies of the Council.

It was noted that the focus of the Strategy was on increasing the supply of affordable housing while making best use of the existing stock. The priorities identified were:

- **To provide well designed, high quality homes that were affordable and met local needs;**
- **To prevent homelessness and help those in housing need;**
- **To help people to achieve independence and wellbeing;**
- **To deliver an improved housing service to tenants and leaseholders;**
- **To enhance choice, standards and quality within the private rented sector.**

The report set out each of the recommendations identified by the Housing Services Review and the progress achieved in meeting them.

The Committee noted that the Planning Committee had received training on the viability assessment process in February 2021 and Officers were asked whether a further session would be arranged in light of the changes to the membership of the Planning Committee in May 2021. Officers undertook to revisit the training later in the year in consultation with the Chairman of the Planning Committee. Any training materials would be forwarded on to Members.

The consultation was discussed and the Members were advised that the number of responses received had been positive, significantly higher than had been expected. The feedback received through the consultation exercise had led to subsequent changes to a number of the themes within the Policy, notably around prioritising social rents and further details around sustainability measures, as well as drawing out smarter objectives. The Committee noted the good response from the public consultation and the emphasis on social rented accommodation and sustainability.

The number of empty properties was discussed and it was noted that the owners of empty properties were charged twice as much Council Tax as occupied premises after one year of the property being empty (unless going through probate). Officers undertook to provide

Members with the number of empty properties for which double council tax was being paid, if available.

Officers advised that the Council worked hard to reduce the number of empty properties working with partner organisations including Thamesway Housing, recognising that there were often complex reasons for a property being left empty which took a significant amount of time to address. In terms of comparison with other, similar Authorities, it was estimated that Woking was mid-table.

Recommendation 3 had stated that “*Where a viability case results in fewer affordable homes being proposed a S106 agreement in order to provide the option for the actual costs and values to be completed*”. Officers confirmed that S106 agreements were sought in such circumstances, noting that each agreement was subject to negotiations, and offered to provide a few examples outside of the meeting.

The Chairman summarised the key elements of the update, noting the discussion around empty homes, the successful consultation and the use of 106 agreements. The Chairman thanked Councillor Harlow, Louise Strongitharm and Jon Herbert for the presentation and their work around the Strategy.

RESOLVED

That the report on progress be noted.

7. WORK PROGRAMME OSC21-018.

The Chairman introduced the Work Programme for the Committee, which sought to assist Members with the overview and scrutiny role of the Council by providing an indication of the Committee’s workload and the future work programme of the Executive. Items which had been changed or added to the Work Programme since its last meeting were highlighted, including the intention to undertake a survey of Leisure Facility Users in 2022 and the addition of a presentation by Enterprise M3, the Local Enterprise Partnership, to the meeting in February 2022. It was noted that the report included an extended forward plan of decisions to be taken by the Executive in the current Municipal Year.

The Committee had previously asked to again review the play area provision, which had last been reviewed earlier in the year. The review was scheduled for the beginning of 2023, though the Chairman indicated that ideally it would be brought forward.

Key items scheduled for the year included a review of the use of Lakeview Community Centre (October 2021), review of Freedom Leisure performance (November 2021), the performance of the waste management service and an update on Dr Edila’s report (January 2022), and Enterprise M3 (February 2022). One new item to be added to the work programme was the follow up to the motion passed at the last Council meeting in regard to a financial review of the Authority. The motion had specified that monthly progress reports would be submitted to the Overview and Scrutiny Committee. The Committee was advised that the process to appoint an independent reviewer was underway, with the contract to be awarded in October. The presentation of the final report was scheduled for the week commencing 13 December 2021. Once the contract had been awarded, a meeting between the reviewer and the Chairman of the Overview and Scrutiny Committee would be arranged. The Chairman asked for an update on the review at its next meeting.

Councillor Kirby asked whether the Committee would be in a position to direct the review. The Members were advised that the Motion simply stated that monthly reports would be presented to the Committee; however the Chairman would be involved with discussions with the reviewer. How the Committee could be more involved would be considered further at its next meeting, noting the narrow timescale for the review.

A suggestion was made that the update on the performance of the waste management service should be brought forward in the timetable in view of concerns over garden waste collection and missed collections. Officers undertook to explore whether the matter could be brought to the October or November meeting of the Committee.

RESOLVED

That the Work Programme be noted.

8. SCRUTINY REVIEW PROPOSAL - THE HOUSING INFRASTRUCTURE BID.

The Chairman introduced a formal proposal for the establishment of a scrutiny review of the Housing Infrastructure Fund (HIF) scheme, avoiding any overlap with the existing HIF Oversight Panel. The focus of the proposed O&S review was intended to provide effective constructive critical friend challenge, focussing on:

- the decisions the project was planning to make;
- how these were planned to be implemented;
- amplifying the voices and concerns of communities;
- improving outcomes; and,
- contributing to the development of a vision for the project and how this connected with related Council strategy and other change activity.

It was proposed that the review would initially be undertaken by Internal Audit and it was confirmed that the proposal would be presented to the Standards and Audit Committee at its meeting later in the week. If supported, the report prepared by Internal Audit would be presented to a meeting of the Overview and Scrutiny Committee with a view to:

- provide assurance that all the risks in respect of the scheme had been identified and that there was sufficient mitigation in place to manage the risks;
- provide assurance that due processes in decision making and project management had been applied and assess how the demands and potential conflicts of multiple major projects occurring concurrently were managed; and
- identify the wider lessons from a project of this scale with very significant external dependencies.

An audit would be completed with the intention of reporting back to the Committee at its meeting on 22 November 2021. It was noted that a separate report – Update on the HIF scheme – was scheduled for consideration by the Executive in October.

The Members of the Committee would subsequently propose how they would help to develop a vision for the project, setting out how it connected with related Council strategies and other change activities.

The Chairman stressed that, whilst the review would be forward looking, it would consider how the scheme had developed and how the decisions of the Council had been reached. Councillor Kirby suggested that the review should include the timeline of all the meetings with any external bodies and the reasons why Members had made the decisions around the HIF scheme. It was suggested the review should consider three elements of the scheme; economic, financial and democratic.

Some concern was expressed that the work would revisit and review the decisions of the Members at the time, rather than being a forward looking review. The Chairman advised that an element of 'looking back' would be needed and that a timeline would be helpful. The proposals had been drafted in such a way that the work would support that of the HIF Oversight Panel, rather than duplicate efforts. It was made clear that, whilst the review would not look at how decisions had been made and why, there would be an element of background information to set the scene for the review.

The wording of the form was discussed and Councillor Kirby suggested that greater prominence could be given to the inclusion in the scope of the work to look at the risks of the scheme and the mitigation identified. It was therefore proposed that the paragraph on providing assurance that all risks had been identified should be moved to be included under the focus of the review. The suggestion was agreed and it was

RESOLVED

That the proposed review of the Housing Infrastructure Fund (HIF) scheme be agreed, as amended in terms of the placement of the paragraph on the identification of risks.

9. OVERVIEW AND SCRUTINY GUIDANCE BY THE MHCLG OSC21-023.

The Committee received a report which explored the provisions of the statutory guidance on overview and scrutiny published by the Ministry of Housing, Communities and Local Government (MHCLG) in 2019. The report reviewed the Council's arrangements in light of the guidance and identified a wide range of recommendations for the Committee as a means of strengthening the Council's overview and scrutiny work.

The recommendations had been developed within the context of recent developments at Woking Borough Council which impacted on the way in which the scrutiny responsibility of the Authority was taken forward. These included the changes arising from the recommendations put forward by Dr Gifty Edila. The guidance was also to be seen in the context of the Council's own arrangements which include a number of cross party oversight panels.

Councillor Azad welcomed the very positive report and affirmed the Executive's supportive position in terms of scrutiny and its willingness to work positively with the Committee.

Included within the recommendations was the proposal for the establishment of a protocol between the Committee and the Executive, a document which, if supported by the Committee, would be prepared in consultation with the respective Chairmen over the coming months.

Noting the occasional delay between the publication of the 'Green Book' and a meeting of the Committee, the report proposed that a new approach should be adopted whereby the Members of the Overview and Scrutiny Committee would be encouraged, where possible, to raise any questions or areas of concern arising from the 'Green Book' with the Chairman of the Committee in advance of the meeting of the Committee. A report summarising the points raised and responses given would subsequently be presented to the Committee.

It was noted that, subject to the decisions of the Committee, the Work Programme would be updated to take account of the proposals which would need to be brought back for consideration by the Members of the Committee.

The report was welcomed by the Committee and it was

RESOLVED

- That (i) a formal opportunity for discussion between the Chairman of the Committee and the Leader of the Council be established;
- (ii) a draft Executive / Overview and Scrutiny Committee protocol be drawn up for consideration by the Overview and Scrutiny Committee and recommendation onto the Executive, in consultation with the Chairman and Vice Chairman of the Overview and Scrutiny Committee and the Leader of the Council;
- (iii) a report be brought to a future meeting of the Overview and Scrutiny Committee proposing the adoption of management arrangements for the release of, reporting on and audit of, the Scrutiny budget, the proposals to be drafted in consultation with the Chairman and Vice-Chairman of the Committee;
- (iv) a communications plan be established on the work of the Overview and Scrutiny Committee which would promote the work of the Committee within the resources available;
- (v) the Scrutiny Tool Kit be updated to include, amongst other points, reference to the new Officer support arrangements, the budget available for Scrutiny work and the guidance available, notably that issued by the Local Government Association, the MHCLG, South East Employers and the Centre for Governance and Scrutiny;
- (vi) the Members of the Overview and Scrutiny Committee, where possible, raise any questions or areas of concern arising from the 'Green Book' with the Chairman of the Committee in advance of the meeting of the Committee;
- (vii) a report summarising the points raised on the 'Green Book' and responses given be presented to the subsequent meeting of the Committee;
- (viii) the guide to scrutiny of risk and commercialisation published by the Centre for Governance and Scrutiny, be brought to a future meeting of the Committee for consideration;

- (ix) before agreeing a topic for scrutiny review, a scrutiny review topic form to be completed by the Member/Officer proposing the review, for agreement at the next available Overview and Scrutiny Committee;
- (x) any consideration of topics for scrutiny to highlight the benefits of the work for residents and take into account the Work Programme in assessing the resources necessary, and the work of each Scrutiny Review Task Group be informed by the practices and approaches endorsed by the Scrutiny Tool Kit.

10. THE ELECTIONS BILL 2021 OSC21-022.

The Committee was presented with a report which set out the proposals contained in the recently published Elections Bill. This report was simply for information; the Bill had completed its first reading on 5 July 2021 and second reading on 7 September, moving into the more detailed committee stage, the point at which detailed examination of the Bill took place. The Bill had a number of stages to go through before being enacted and it was hoped that a timetable would soon be available. The Members were advised that updates for the Council will be made through the Council's Elections and Electoral Registration Review Panel and that a further briefing paper will be prepared once the Bill has been enacted.

Included within the Bill were a number of high profile recommendations, including the introduction of ID to vote in polling stations. As the Members were aware, Woking Borough Council had participated in the Government's Voter Identification pilot in recent years, the findings of which had clearly informed some of the proposals in the new Bill.

Attention was also drawn to the proposals within the Bill to introduce a greater role for the Government in the terms of the discharge of duties by the Electoral Commission, with the proposed introduction of a Strategy and Policy Statement, to be approved by Parliament, which would provide the Commission with guidance. This proposal, together with the introduction of voter ID had been covered by national press in recent days, with concerns and reservations expressed by a number of organisations.

The Bill, if approved, would impact on the residents of the Borough, particularly in respect of the introduction of voter ID for polling stations, though Woking's participation in the pilot exercise in previous years would make the transition easier than would be the case in other Boroughs and Districts. Other changes would impact on postal voters, limiting the timeframe to a maximum of three years before a new application to vote by post would have to be made by the elector.

RESOLVED

That the report be noted.

11. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Committee had before it the performance and financial monitoring information (the 'Green Book') for July 2021. Members expressed concerns over the current waste collection service, in particular the number of missed collections, the cancellation of the green waste collection service and the absence of data. It was noted that the interruption

in service had been a result of the national shortage of HGV drivers and that many Councils were struggling to maintain services. The missing data on refuse collections had now been received by Joint Waste Solutions and would be released in due course.

In terms of refuse collections made on time, Councillor Kirby suggested that the data should in future be split into the different types of refuse.

Flytipping was discussed and the Chairman advised that the number of incidents appeared to be lower than in the previous year, though remained high and was still an area of concern

It was noted that the financial information in the Green Book would be reviewed by the Finance Task Group.

RESOLVED

That the Green Book be noted.

12. FINANCE TASK GROUP UPDATE OSC21-021.

The Chairman presented the report of the Finance Task Group following its meeting in July. The Group had focussed on the Statement of Accounts and the delays, with the audit of the previous year's accounts yet to be completed. The Group had also looked at the Medium Term Financial Strategy, treasury management, Victoria Square and commercial rents.

RESOLVED

That the report be noted.

13. HOUSING TASK GROUP UPDATE OSC21 020.

The report on the recent meeting of the Housing Task Group had been prepared by its Chairman, Councillor Barker, who introduced the report at the meeting. The Committee had considered the draft Housing Strategy, New Vision Homes (NVH) and bringing Housing Services in-house and tackling homelessness. The Committee noted that, at the time of the meeting of the Task Group, there had been no recorded homeless individuals on the streets of the Borough.

RESOLVED

That the report be noted.

14. ECONOMIC DEVELOPMENT TASK GROUP UPDATE OSC21-024.

The Chairman of the Economic Development Task Group, Councillor Roberts, had prepared a report on the discussions at the meeting of the Task Group held on 25 August 2021.

The Task Group had reviewed a draft report on the economic development action plan for post-pandemic recovery, before the report was presented to the Executive. The action plan proposed a number of activities that would support the recovery of the local economy.

RESOLVED

That the report be noted.

The meeting commenced at 7.00 pm
and ended at 8.40 pm

Chairman: _____

Date: _____