

MINUTES
OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE

held on 26 September 2022

Present:

Cllr A Azad (Chairman)
Cllr J R Sanderson (Vice-Chair)
Cllr A Caulfield Cllr A Kirby
Cllr K M Davis Cllr J P Morley
Cllr P J T Graves Cllr M I Raja

Also Present: Councillors T Aziz, A-M Barker, E Nicholson and D Roberts

Absent: Councillor H Akberali

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Kemp.

2. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on Monday, 11 July 2022 be approved and signed as a true and correct record subject to the following amendment:

Item 11 – HIF Housing Outputs Task Group Update

The first paragraph, second sentence be amended to read:

“The agreement would facilitate additional pedestrian, cycle, and road capacity, along with the requirement for further housing development in the Town Centre with 4,555 homes across 13 sites, of which 1,251 had been identified in the Site Allocations Development Plan Document.”

3. MATTERS ARISING FROM THE PREVIOUS MINUTES

Matters Arising from the Previous Minutes – Reporting of Housing Complaints

It had been proposed to include Housing complaints in the Performance and Financial Monitoring Information. The matter remained under consideration to ensure the most appropriate place be found.

Company Governance

The matter had been raised at Executive, which had passed a recommendation to Council. The matter was considered closed.

Arrangements for Grants

The matter had been fully debated at Council and was now considered closed.

Work Programme – Review of the Constitution

An item covering the topic had been added to the Committee agenda. The matter was considered closed.

Work Programme – Report on Insulation and Energy Efficiency

An item had been added to the Work Programme and the matter was considered closed.

Performance and Financial Monitoring Information – Review

An item covering the topic had been added to the Committee agenda and the matter was considered closed.

Performance and Financial Monitoring Information – Inclusion of Most Recent

The most recent Performance and Financial Monitoring Information had been included in the agenda.

Quarterly Noise Complaints Update

The Work Programme had been amended to reflect the altered timetable for the Update. It had been agreed that the report would be provided biannually and the matter was considered closed.

Overview and Scrutiny Training

Training had been provided to Members of the Overview and Scrutiny Committee by South East Employers. The matter was now considered closed.

RESOLVED

That the report be noted.

4. URGENT BUSINESS

There was no urgent business to discuss.

5. DECLARATIONS OF INTEREST

No declarations of interest were received.

6. GUIDE TO SCRUTINY OF RISK AND COMMERCIALISATION OSC22-039

The Committee had previously been presented with a report covering two items of guidance; the Overview and Scrutiny Guidance released by the then Ministry of Housing, Communities and Local Government, subsequently renamed the Department for Levelling up, Housing and Communities (DLUHC); and The Good Scrutiny Guide by the Centre for Public Scrutiny. The Guide to Scrutiny of Risk and Commercialisation had been brought to the Overview and Scrutiny Committee to contextualise the previous guidance for when the Council's Commercial Strategy was scrutinised.

Kevin Foster, Strategic Director – Corporate Resources, reminded the Committee that elements of risk and commercialisation scrutiny had already been undertaken. For instance, when the Financial Review was received, results of which had been integrated

into the Medium-Term Financial Strategy. Changes to the Performance and Financial Monitoring Information were also a reflection of this scrutiny. The Committee was to receive an update under Item 9.

The Committee discussed the relevance of the Guidance in light of the most recent guidance on Local Government borrowing and investments for commercial return. Kevin commented that Councils still needed to pursue other sources of income to supplement Council Tax and Business Rates. Local Government was coming under greater scrutiny for its levels of risk and exposure and Councils needed to see how implementation of powers within the Levelling Up and Regeneration Bill developed.

Members shared concerns about the Council's performance on managing risk. It was envisaged that going forward there would be a Corporate Strategic Risk Register which would be subject to scrutiny by Councillors. To complement this, training for Councillors on how to scrutinise risk management had been arranged for 12th October 2022.

It was explained that the newly filled role of Strategic Director of Corporate Resources was expected to oversee and combine the commercialisation work undertaken by Joanne McIntosh, Director of Legal and Democratic Services, with the financial affairs work of Leigh Clarke, the Finance Director, and the work of Adam Walther, Head of Transformation and Digital.

Kevin was asked to explain how Woking Borough Council approached commercialisation both as a business owner and as a lender. For guidance, the Council employed the use of a Shareholder Advisory Service. Additionally, the Company Governance Structure had recently changed; senior Officers of the Council were employed to boards of companies where Woking Borough Council had an interest. The Officers would be required to balance the priorities of the company with the needs of the Council. As a lender, responsibility lay with the statutory officers performing due diligence. It was a necessity that any decision made aligned with a priority of the Council.

Members asked Kevin to define Cultural Transformation, as referenced in the report. Although not something that could be reported on in the short-term, this had begun with the appointment of the new CEO and appointments of strategic directors. It was necessary to remove single points of failure and ensure officers were empowered to make decisions. The Woking for All strategy that was under development was expected reflect the cultural transformation.

Carter Jonas had been employed to review assets and stakeholders for the Strategic Asset Management Plan.

RESOLVED

- That (i) the guidance drawn up by the Association for Public Service Excellence (APSE) and the Centre for Governance and Scrutiny (CfGS) on the scrutiny of risk and commercialisation be noted;
- (ii) the Council's integrated service and financial planning approach which has the Medium-Term Financial Strategy (MTFS) as its strategy for commercial, investment and financial resilience be noted;
- (iii) the role of the Overview and Scrutiny Committee in providing scrutiny on the Council's approach to risk and commercialisation through the MTFS and specifically the Comprehensive Statement be noted; and
- (iv) the agreed update to the management actions in response to the Comprehensive Statement as a report on progress from the earlier scrutiny review of the Council's investment and commercial approach and strategies be received and noted.

7. FREEDOM LEISURE PERFORMANCE REVIEW OSC22-040

[Note: Items 7 and 8 were presented and discussed together].

Steve May, Leisure Services Manager, presented the annual Freedom Leisure Performance Review.

It was noted that Covid had continued to affect the running of the Freedom Leisure contract, for periods of the year it had been necessary to reduce capacity at the Leisure Centres and in classes. Despite the continued impact of Covid, Woking's leisure services had recovered to a greater degree than the national average reported by Sport England. It was recognised that the opening of Eastwood Leisure Centre had contributed to this recovery.

Freedom Leisure had paid a management fee of £240,000 to Woking Borough Council in the 2021-22 financial year. This was compared with a payment of £690,000 before the pandemic. The Committee asked what the likely return would be for the current financial year. It was hoped that the payment for the 2022-23 year would be close to the pre-Pandemic amount.

The Committee raised concerns over the number of accidents across the sites and enquired why the threshold before further investigation took place was 0.10%. Steve confirmed that 0.10% was an industry standard. The primary source of accidents was the Inflatazone. Most accidents were minor and were resolved with the application of a plaster. Joanne McIntosh informed the Committee that she presented an annual Health and Safety report to the Standards and Audit Committee that included accidents at the Leisure Centres. It was noted that any more serious accident would need to be investigated by Environment Health. The Committee asked for an analysis of the most serious accidents to discover if there was a trend or if they were increasing.

Members of the Committee questioned the need to reline the running track at Woking Sportsbox. The work, which involved repainting the track lane lines, was required to ensure the track continued to meet national standards.

The collaboration work between Freedom Leisure, Woking Borough Council and the NHS had continued to develop. The physiotherapy department at St Peter's Hospital was

providing appointments and classes at the Leisure Facilities. Work was being undertaken to see how the leisure facilities and their instructors could provide support to long-Covid sufferers. A trial had recently started in conjunction with Surrey University and St Peter's Hospital to provide 'prehab' services, measures to prepare people for forthcoming surgery. The aim of the trial was to see if improving their fitness before surgery aided recovery and outcomes.

The Committee wished to know what incentives there were for Freedom Leisure to make business improvements. Steve May advised that incentive came in part from Woking Borough Council's satisfaction and what impact that would have when deciding on a future contract. Incentive was also derived financially; the more business Freedom Leisure attracted, the greater their revenue was.

RESOLVED

That the report be noted.

8. SURVEY OF LEISURE FACILITY USERS OSC22-041

Steve May, Leisure Services Manager, presented the annual Survey of Leisure Facility users to the Committee.

It was noted that many complaints arose from the inability to book certain activities online. Steve explained that the provider of the software used by Freedom Leisure in Woking, XN Leisure, was currently developing the software to enable comprehensive online booking.

Another common source of complaints centred around communication. It was explained that the telephone system had not been updated since Freedom Leisure had been awarded the contract to manage the Centre.

RESOLVED

That the report be noted.

9. PERFORMANCE AND FINANCIAL MONITORING REVIEW OSC22-042

Pino Mastromarco, Corporate Strategy Manager, presented a report on the proposed changes to the Performance and Financial Monitoring Information. The replacement for the Performance and Financial Monitoring Information, locally known as the Green Book, would be referred to as the 'Woking for All Performance Report', or 'Performance Report' for short, and would be published on a quarterly basis.

It was envisaged that two iterative reports would be produced complementary to the Performance and Financial Monitoring Information before full adoption for the 2023/24 municipal year.

The Committee discussed the proposal to remove the Treasury Management Information from the Performance Report, as outlined in paragraph 4.17 of the report. Whilst it was noted that the proposal had been made in recognition that the information was unlikely to change during the year, members supported a suggestion that it should be retained as an appendix to the Performance Report.

RECOMMENDED TO THE EXECUTIVE

That the revised structure and content of the Financial and Performance Monitoring Information, as set out in the report, be agreed, subject to the Treasury Management Information being retained as an appendix.

10. REVIEW OF THE CONSTITUTION OSC22-044

Joanne McIntosh, Director of Legal and Democratic Services, informed the Committee of the plan to rewrite the Constitution. Joanne noted that the Constitution had been regularly updated since it had first been adopted. However, a fundamental review of the Constitution was now the best course of action as it needed streamlining and modernising. The review would seek to make the Constitution easier to read, with flow charts to be developed to explain complex processes.

The Committee discussed the proposed timetable and recommended that, in light of the delays resulting from the passing of the Queen, the timings set out in the report should be extended, with the Members seeking to ensure that there was sufficient time to consult on every part of the Constitution. It was noted that a new Constitution could be adopted at any time during the year, outside of the Election period.

In response to questions raised, Joanne confirmed that the Constitution would continue to be kept under constant review and that, as part of the Annual Corporate Governance Statement, a yearly update would be provided to the Standards and Audit Committee.

The Chairman reaffirmed the Committee's view that there should be sufficient time during the writing of a new Constitution to allow plenty of Member involvement.

RESOLVED

That the report be noted.

11. WORK PROGRAMME OSC22-038

The Chairman introduced the report on the updated Work Programme, noting that there were three suggested additions to the Work Programme. It was hoped that resources would be allocated to ensure they were brought forward by the end of the Municipal Year.

Officers were asked whether it would be possible to bring forward the Insulation and Energy Efficiency report, currently scheduled for the meeting on 21 November 2022. The Committee was informed that the report was dependent on the October energy price cap announcement and therefore could not be brought forward. It was further asked whether the report could be split to enable the insulation aspect to be brought to the October meeting of the Committee. The matter would be considered outside of the meeting.

Members of the Committee discussed the overall content of the Work Programme and, in view of concerns that the Programme lacked variety, the Chairman encouraged Members to submit suggestions for topics for future consideration.

RESOLVED

That the Work Programme be noted.

12. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Committee was invited to raise any points in respect of the recently published Performance and Financial Monitoring Information.

Louise Strongitharm, Strategic Director of Communities, was asked how identification and repurposing of empty homes was progressing. It was remarked that there had so far been no new empty homes brought back into use in the current Municipal Year. Louise noted that many cases took considerable time, often having to be handled sensitively. Additionally, the data for empty homes came in tranches from Council Tax at several points throughout the year and therefore work on newly found empty homes could only happen after these data transfers. It was for these reasons that no empty homes had been brought back into use for the year to date.

An Empty Homes Plan was due to be presented at the Executive on 17 November 2022.

RESOLVED

That the Performance and Financial Monitoring Information (July 2022) be noted.

13. ECONOMIC DEVELOPMENT TASK GROUP UPDATE OSC22-045

The Committee received an update report for the Economic Development Task Group.

RESOLVED

That the report be noted.

14. HIF TASK GROUP UPDATE OSC22-046

The Committee received an update report for the Housing Infrastructure Fund Task Group.

RESOLVED

That the report be noted.

15. HOUSING TASK GROUP UPDATE OSC22-047 (VERBAL UPDATE)

Housing Task Group – 27 July 2022

Councillor Tahir Aziz, Chairman of the Housing Task Group, provided a verbal update on the meeting of the Housing Task Group that had taken place on 27 July 2022.

A review of the Selective Licence Scheme introduced into parts of Canalside Ward had been received by the Task Group and its success had been considered. The purpose of the scheme had been to improve the housing standard in the Private Rented Sector. Approximately 1000 licenses had been issued in the five years that the scheme had run. It had been expected that the scheme would generate between £600,000 and £800,000 in revenue for the Council. However, the scheme had not generated the expected revenue and had cost the Council money to administer. The scheme was due to end in March 2023 and could not be automatically renewed. It had been deemed unviable to consider a new scheme and instead a set of Amenity Standards would be adopted to aid enforcement powers in the Private Rented Sector.

The Chairman requested a written report for future Housing Task Group updates to allow Members of the Committee to consider comments ahead of the meeting.

Housing Task Group – 22 September 2022

Louise Strongitharm, Strategic Director of Communities, provided a verbal update on the most recent meeting of the Housing Task Group.

Updates on two standing items had been received: Housing Services Update; and Affordable Housing Delivery Update.

Dan Ashe, Senior Planning Policy Officer, had sought input from the Housing Task Group on the Affordable Housing Delivery Supplementary Planning Document that was due to be presented at Executive on 17 November 2022.

The Task Group had also discussed the Council's planned response to the Government consultation on introducing a price cap to social rented properties.

The meeting commenced at 7.00 pm
and ended at 8.57 pm

Chairman: _____

Date: _____