

Open

Overview & Scrutiny Committee

Agenda

6pm
Thursday, 6th December 2018
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Overview & Scrutiny Committee

Members of Committee:

Chairman: Councillor H E Dyke
Vice-Chairman: Councillor M Rayner

Councillor N Harris

Councillor N Knowles

Councillor S Miah

Councillor H S Williams

Councillor K Henderson

Councillor D Little

Councillor S J Walker

Councillor S J Williams

Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

Co-opted Members

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their committee in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.
- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

For Further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact Margie Plumb, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732721 or email margie.plumb@wyreforest.gov.uk.

Wyre Forest District Council

Overview & Scrutiny Committee

Thursday, 6th December 2018

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

| Agenda item | Subject | Page Number |
|--------------------|--|--------------------|
| 1. | Apologies for Absence | |
| 2. | Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting. | |
| 3. | Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details. | |
| 4. | Minutes To confirm as a correct record the Minutes of the meeting held on the 1st November 2018. | 6 |
| 5. | Recommendations from the Highways Maintenance Review Panel To receive the recommendations from the Review Panel which was established to undertake an in-depth review of the service standards for Highways Maintenance including grass cutting / weed control and frequency of works to aid joined up working with parish councils. | 10 |
| 6. | Recommendations from Affordable Housing Review Panel To receive the recommendations from the Affordable Housing Review Panel which was reconvened to consider Local Authority Delivery Models to tackle housing need. | 13 |
| 7. | Feedback from Cabinet To note the content of the Cabinet action list, following consideration of the recommendations from the meeting on 13 th November 2018. | 14 |

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| 8. | <p>Work Programme</p> <p>To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.</p> | 15 |
| 9. | <p>Press Involvement</p> <p>To consider any future items for scrutiny that might require publicity.</p> | |
| 10. | <p>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p> | |
| 11. | <p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of 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 12A to the Act”.</p> | |

Part 2

Not open to the Press and Public

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| 12. | <p>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p> | |
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WYRE FOREST DISTRICT COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

THURSDAY, 1ST NOVEMBER 2018 (6PM)

Present:

Councillors: H E Dyke (Chairman), M Rayner (Vice-Chairman), N Harris, K Henderson, N Knowles, D Little, S Miah, S J Walker, H S Williams and S J Williams.

Observers

Councillors: F M Oborski MBE, J D Smith and R J Vale.

OS.50 Apologies for Absence

There were no apologies for absence.

OS.51 Appointment of Substitutes

No substitutes were appointed.

OS.52 Declarations of Interests by Members

No declarations of interest were made.

OS.53 Minutes

Decision: The minutes of the meeting held on the 4th October 2018 and the minutes of the special meeting held on 25th October 2018 be confirmed as a correct record and signed by the Chairman.

OS.54 How Are We Doing? Performance Update

The Committee considered a report from the Business Improvement Officer which updated Members on the performance of the Council for quarter 2 from 1st July to 30th October 2018.

The Business Improvement Officer presented the report and appendices which included detailed updates on the performance against the Council's purposes of 'People' and 'Business'. Members were advised that an exception report had not been included for this period as there were no overdue actions or significant issues to report. There was however a new report which detailed the progress of the Council's capital projects.

The Committee considered each page of the report in turn. Members discussed the Depot 2020 project and a further update was requested in relation to the

commencement of work on site and confirmation of the technical advice given regarding the use of solar panels. The Chairman asked the Cabinet Member for Operational Services to arrange for a full response to be circulated to Members of the Committee.

Agreed: The progress in performance for quarter 2 be noted.

OS.55 Recommendations from the PACT Review Panel - Draft Action Plan

The Committee received a report from the Community Safety & Partnerships Officer which set out a draft action plan for improvements to the PACT scheme in Wyre Forest.

The Community Safety & Partnerships Officer advised Members that the action plan had been drafted in conjunction with Inspector Jake Wright from West Mercia Police. She said that any changes to the scheme in Wyre Forest could be determined locally by the Police and relevant Partners.

The Committee discussed the plan. Members felt that there should be a firm commitment from the Police that either a PC or PCSO would attend each meeting, and the proposal to review the plan in 12 months time was agreed. The Community Safety & Partnerships Officer agreed to amend the plan with the points raised and said that a report on the effectiveness of the action plan would be brought back to the Committee in November 2019.

Agreed: The draft action plan, as amended, be approved and implemented by West Mercia Police and Wyre Forest District Council.

OS.56 Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2018-19

The Committee received a report from the Corporate Director: Resources, which provided Members with a mid-year review of the Council's treasury management policies, practices and activities in accordance with the CIPFA Treasury Management Code of Practice.

The Corporate Director: Resources led Members through the report and outlined the key issues. She advised that this was the second of the 3 statutory reports which would be presented to the Committee in the current municipal year. She said that the report had been fully scrutinised by the Members of the Treasury Management Review Panel at their meeting on 29th October 2018.

The Corporate Director: Resources was pleased to advise that there were no issues to report and all the treasury management activities adhered to the Council's approved low risk strategy. She added that the new Capital Portfolio Fund Prudential Indicators and Ratios had been included in the report for information and was not a statutory requirement. Members were advised that the performance of the Property Portfolio fund would be reported separately in the future.

The Chairman of the Treasury Management Review Panel, Councillor F Oborski MBE, commended the recommendations from the Panel to the Committee for

approval. She thanked the Members of the Review Panel and the Corporate Director: Resources and her team for all their hard work.

Upon a show of hands the recommendation was agreed. Councillor N Knowles voted against the proposal and asked for his vote to be recorded as such as he disagrees with the authority investing in property outside of the Wyre Forest District.

Agreed: Recommend to Council that:

The Treasury Management Mid-year Review and updated Prudential Indicators & Ratios be approved.

OS.57 Housing Assistance Policy

The Committee considered a report from the Head of Strategic Growth which sought to agree the policy that would determine how the Disabled Facilities Grant (DFG) funding from central government would be spent. In 2018/19 the Council received £1.192m of capital funding via the Better Care Fund (BCF) to deliver its DFG programme and related services.

The Head of Strategic Growth led Members through the report and outlined the amendments to the policy which would support the better utilisation of the funding. She advised that there was a proposal to allocate a small amount of the overall budget to pilot funding for discretionary DFGs without having a means test, the discretionary grants would be up to £5,000, and the pilot would be reviewed after a year.

The Committee supported the policy and were encouraged by the way the grants and services had been delivered.

Members welcomed the support given to households to enable people to remain living independently in their homes.

Agreed: Recommendation to Cabinet:

1.1 The Housing Assistance Policy 2018 be approved.

1.2 Delegated authority be given to Corporate Director: Economic Prosperity and Place, in consultation with the Corporate Director: Resources and Cabinet Member for Housing, Health and Wellbeing to agree the split of funding and eligibility criteria on an annual basis or as may otherwise be required.

Councillor S Walker left the meeting at this point, (7.05pm).

OS.58 Council Tax Reduction Scheme Review 2019/20

The Committee considered a report from Revenues, Benefits & Customer Services Manager which provided the results of the consultation exercise that the Council was required to undertake if there were any proposed changes to the Council Tax Reduction Scheme.

Agenda Item No. 4

The Revenues, Benefits & Customer Services Manager led Members in detail through the report. She said that the public consultation had taken place from 23rd July to 28th September 2018. There had been a total of 90 responses received.

Councillor S Walker returned to the meeting at this point, (7.16pm).

The Committee endorsed the proposed changes which would reduce the need to increase administration costs when Universal Credit was rolled out in the district.

Members welcomed the support which was available to people who may find themselves in difficulty as the changes in the system took place.

Agreed: Recommendation to Cabinet:

The following points are incorporated into the Council Tax Reduction Scheme from 1st April 2019:

- a) **Retention of the hardship fund, to ensure that people who face genuine difficulty in meeting their commitments can be assisted. This support is not available to people who have savings.**
- b) **The proposed changes outlined in paragraph 2.11 of the report to the Overview and Scrutiny Committee, be implemented.**

OS.59 Work Programme

The Committee considered the work programme for the current municipal year. The Chairman advised that the Highways Maintenance Review Panel had concluded their work and the findings and recommendations would be presented to the December meeting of the Committee. Members were advised that the review into the civil enforcement issues would commence in December. She asked any Members who would like to part in the review to notify the Principal Committee and Member Services Officer.

Agreed: The work programme be noted.

OS.60 Press Involvement

There were no future items for scrutiny that might require publicity.

There being no further business, the meeting ended at 7.28pm.

WYRE FOREST DISTRICT COUNCIL

**Overview and Scrutiny Committee
6th December 2018**

Recommendations from the Highways Maintenance Review Panel

Summary

This report provides an overview of the issues considered by the Highways Maintenance Review Panel and sets out its conclusions and recommendations for consideration by the Overview and Scrutiny Committee.

Background

The Panel was established to address concerns, questions and complaints raised by members of the public about the standards of grass cutting, weed control and general highway maintenance across the Wyre Forest District.

The aims of the Panel were:

- To identify who was responsible for maintaining which areas of the District.
- To understand what work Wyre Forest District Council undertake on behalf of Worcestershire County Council.
- To understand how areas were prioritised and clarify statutory duty responsibilities.
- To consider the quality of grass cutting, weed clearing, and epicormic growth maintenance.
- To establish responsibilities for traffic islands in the District.

The Panel met 5 times and interviewed Keith Burgess & Kevin Beard from Oakleaf Commercial Services Ltd and Ian Bamforth from Worcestershire County Council. Views were sought from Parish and Town Councils across the District via a questionnaire of which 8 Town and Parish Councils replied.

Key Issues

The Panel acknowledged that Highway Maintenance is a key issue for many residents as it is highly visible when leaving their homes and travelling around the District.

The Panel learnt that during the period 2017/18 the Council spent in excess of £134,000 to complete the work needed for basic highway maintenance across the District, and that this figure can increase significantly if specific weather conditions promote growth. In contrast the Council received approximately £49,000 from Worcestershire County Council during the above period to carry out highway maintenance across the District.

The Panel were informed that there will be a Worcestershire County Council budget review taking place over the next 6 months which could affect the amount currently funded from them

The current work programme is for a minimum of 6 grass cuts and 2 complete circuit weed sprays (including traffic Islands) per year. It is agreed that to keep the District to the high standards expected more cuts and sprays would be an advantage but the frequency of work carried out is reliant on the budget available. Safety issues are always a priority.

It was established that any maintenance of the 'hard' areas of traffic islands such as missing cobbles, curbs or signs is the responsibility of Worcestershire County Council and any 'soft' maintenance such as weeds and grass cutting are the responsibility of Wyre Forest District Council.

There is much public confusion around who is responsible for which areas within Wyre Forest District Council, Worcestershire County Council and Oakleaf all carrying out work in the District. Having spoken to all those services the Panel were able to get a much clearer view on these areas of responsibility. The work of the Lengthsmen currently undertaken around the District is greatly valued.

Worcestershire County Council are responsible for filling grit bins and maintaining strategic gritting routes, but do not grit town centre pavements and outside of schools. WFDC under a partnership agreement undertake the gritting of all town centre primary routes during these periods of poor weather. There is a perception that people will open themselves up to litigation if they try to grit outside their own homes and someone falls.

The Panel requested further clarification on a number of items from Ian Bamforth but were informed that it could be up to four weeks before the information would be provided. This information had still not been received at the time of this report.

Recommendations to the Overview and Scrutiny Committee:

- Head of Operational Services to identify where improvements can be made to the quality of work carried out by Wyre Forest District Council and continue to look at opportunities for additional income generation.
- Request that Worcestershire County Council reinstate the Highways Partnership Forum.
- Highways Liaison Engineer for Wyre Forest, Paul Green, to be invited to attend a Members Forum to discuss his role, job description and the process for Councillors to contact him.
- Members to be encouraged to liaise with County Councillor colleagues to improve communication and knowledge about local issues and understanding of the reporting systems for Worcestershire County Council.
- Recommend that proactive drain maintenance be utilised to avoid issues during inclement weather.

Agenda Item No. 5

- Communicate to members of the public, through a variety of publicity means, to encourage them, and local shop owners, to keep their local area clear of snow and ice taking steps to allay the perception that they could be liable should someone fall on an area that has been cleared. Aim to provide the public with a clear definition of Wyre Forest District Council's Highway Maintenance responsibilities and the areas covered by other organisations including the work carried out by WFDC on behalf of Worcestershire County Council.
- Use the Wyre Forest District Council website to signpost the gritting routes on the Worcestershire County Council website making clear that this is a WCC responsibility using social media posts to support this information.

WYRE FOREST DISTRICT COUNCIL

**Overview and Scrutiny Committee
Thursday 6th December 2018**

**Affordable Housing Review Panel
Thursday 22nd November 2018**

Local Authority Delivery Models

The Panel considered a briefing paper from the Head of Strategic Growth and the Housing Enabling Consultant which provided an overview of how other local authorities were engaging in the housing market to tackle housing need in their areas. The Housing Enabling Consultant advised that the paper was based on the findings of two reports, namely; the Association of Public Sector Excellence (APSE): Delivering Affordable Housing in a Changing World and the NPF/RTPI: Local authority direct provision of housing.

The Housing Enabling Consultant and Head of Strategic Growth led Members through a power point presentation which highlighted the different approaches and models being adopted around the country, which included four case studies; the challenges and barriers experienced by local authorities and what Wyre Forest District Council had done to date.

The Panel welcomed the opportunity to consider the various delivery models available. Members acknowledged that this was a national problem and agreed that it would be beneficial to reconvene the Panel in the new municipal year to receive an update on the work of the Housing Team and to further consider the Council's approach to housing delivery.

Recommendation to the Overview and Scrutiny Committee that:

The Panel be reconvened post May 2019 to further consider the Council's approach to housing delivery.

Background papers:

Report to the Affordable Housing Review Panel, Thursday 22nd November 2018

**WYRE FOREST DISTRICT COUNCIL
FEEDBACK FROM CABINET MEETING HELD ON
TUESDAY 13TH NOVEMBER 2018**

**Agenda
Item No.**

Decision

7.1

Council Tax Reduction Scheme Review 2019/20

In line with the recommendations from the Overview and Scrutiny Committee:

Decision: Recommend to Council that from 1st April 2019:

The Council Tax Reduction Scheme is amended as outlined in paragraph 3.11 of the report to Cabinet.

8.1

Housing Assistance Policy

In line with the recommendations from the Overview and Scrutiny Committee:

Decision: The Housing Assistance Policy 2018 be approved.

9.1 (a)

Wyre Forest Health and Wellbeing Plan Update

In line with the recommendations from the Overview and Scrutiny Committee:

Decision: The Wyre Forest Health and Wellbeing Strategy and Health Action Plan 2018/21 as attached at Appendix 1 and 2 of the report to the Overview and Scrutiny Committee, as amended, be approved.

9.1 (b)

Climate Change Update

In line with the recommendations from the Overview and Scrutiny Committee:

Decision: The Climate Change Action Plan 2018/19 as attached at Appendix 2 of the report to the Overview and Scrutiny Committee, as amended, be approved.

2018-2019 Work Programme

June 2018

“How are we doing?” Q4 update (Housing and Planning)
Wyre Forest District Local Plan Review: Revised Local Development Scheme (Project Plan 2018-2020)
Recommendations from the PACT Review Panel
Tracking Recommendations 2017/2018

July 2018

The Environmental Offences (Fixed Penalties) (England) Regulations 2017
Affordable Housing Review Panel – Conclusions and Recommendations
Domestic Abuse Pledge “Make a Stand”
Lion Fields Future Phases Development
South Kidderminster Enterprise Park: Revised Local Development Order, August 2018
Council Tax Reduction Scheme Review 2019/20
Acquisition of Land in Market Street, Kidderminster (Appendix 2 EXEMPT)
Nominations for the Treasury Management Review Panel
EXEMPT Industrial Unit Investment Business Case

September 2018

“How are we doing?” Performance update
Homelessness Strategy Refresh
Annual Report on Treasury Management Service and Actual Prudential Indicators 2017-18
Cookley and Caunsall Neighbourhood Plan Area Designation
Asset Transfer of Spennells Changing Rooms and Adjacent Parcel of Public Open Space
EXEMPT Depot 2020 Masterplan – Improve and Invest

October 2018

4th
Climate Change Action Plan Update
Health and Wellbeing Action Plan Update

25th (Special Meeting)

Local Plan Pre Submission Consultation

November 2018

“How are we doing?” Performance update
Treasury Management Mid Year Report
Council Tax Reduction Scheme Review 2019/20
Housing Assistance Policy
PACT Review Panel – Draft Action Plan

December 2018

Recommendations from the Highways Maintenance Review Panel
Recommendations from Affordable Housing Review Panel

February 2019

“How are we doing?” Performance update

Treasury Management Report for 2019/20

Annual Review of the North Worcestershire Community Safety Partnership 2018/19

Treasury Management Service Strategy 2019-20

Lion Fields Parcel 4 - Delivery Options

Review Panels

June – July 2018: Review of service standards for highways maintenance inc grass cutting / weed control

December 2018: Review of civil enforcement issues – PSPO and Parking

November 2018: Re-convened Affordable Housing Review Panel

Sub-Committee

5th September 2018

17th December 2018