

MINUTES OF MEETING OF WHITTLE OVERVIEW AND SCRUTINY COMMITTEE

13 JUNE 2016

PRESENT:

Members of the Committee:

Councillors H Roberts (Chair), Mrs A'Barrow (substitute for Councillor Gillias), Allen, Birkett, Brown, Douglas, Pacey-Day, Roodhouse (substitute for Councillor Keeling) and Ms Watson-Merret

Officers:

Ian Davis (Executive Director), Mannie Ketley (Head of Resources), Sean Lawson (Head of Environment and Public Health), Paul Ansell (Scrutiny Officer) and Linn Ashmore (Democratic and Scrutiny Services Officer)

In attendance:

Councillor Stokes (Leader of the Council)
Councillor Sandison

4. MINUTES

The minutes of the meetings held on 14 March and 19 May 2016 were approved and signed by the Chair.

5. APOLOGIES

Apologies for absence from the meeting were received from Councillors Gillias and Keeling.

6. DECLARATIONS OF INTEREST

Item 4 of Part 1 - Councillor Douglas declared a general non-pecuniary interest by virtue of his employment as Policy and Campaigns Officer for the National Federation of Property Professionals.

7. LEADER AND EXECUTIVE DIRECTOR

The committee received a report (Part 1 – agenda Item 4) concerning performance and future strategy.

The Leader of the Council and Ian Davis, Executive Director, attended the meeting to discuss matters of concern and answer questions raised by the committee.

The focus of the debate related to the areas of the Executive Directors' responsibilities that were not covered at a meeting of the Brooke Overview and Scrutiny Committee in January.

Future priorities

The Council has recently been through a period of change to the senior management structure. A number of staff briefings were held with the Leader and Executive Director to inform employees of those changes and the challenges on the horizon for the council.

The current senior management structure, which saw the role of the Chief Executive partly moved to a Leader with an expanded role has since been replicated by other local authorities but Rugby was unusual in replacing the Chief Executive with more than one Executive Director.

Corporate priorities were at the top of the agenda. The current priorities in the Corporate Strategy were due to expire at the end of this year and officers have been working on developing the revised draft Strategy. The draft Strategy was currently being reviewed by Cabinet portfolio holders and the next stage would be to consult Group Leaders. The revised Strategy would be ready for public consultation in the summer.

The Executive's vision for the expanded Rugby and how to achieve it

Q. In light of the upcoming EU Referendum does the Council have any contingency plans for the effects of the outcome?

A. There was no way of knowing what the outcome of the EU Referendum might be, or how this would affect local authorities. To date no local businesses or developers had indicated that their plans would be affected.

Q. The expansion of the town does not benefit the town centre. The local events surrounding the Rugby World Cup (RWC) were very successful but what plans were there to generate new business? Many shops and pubs were closing or were empty.

A. Bringing the Hall of Fame to Rugby was a bold decision. It was important to work with what we have rather than encouraging the building of more new units. The focus should be on making the town centre attractive to visitors and customers. It was also important to maintain the town as a clean safe place to visit.

The Council does not own property in the town centre so Rugby does not have the problems this has created for other towns. Rugby outperforms other local authorities and was in a better position.

The Hall of Fame would act as a massive hook to attract businesses into the town through the increased level of footfall. The aim was to attract tourists, visitors, local residents and consumers and not just fans of the game.

Night time economy in the town centre remained vibrant.

Discussions have been held with retailers such as John Lewis but often large scale stores look for sites through developers rather than self-building and Rugby did not have the population levels to attract such a big name. However, there was still interest from other retailers, including some that were looking to return to the town. Council planning policies would support such moves.

One key challenge was the lack of flexibility of landlords in attracting businesses. For example, the Swan Centre failed to finalise a deal with Next causing them to move out of the town centre. Some units at the centre remained empty due to the high rents being charged.

The town centre was still attracting new businesses such as Pandora and Edinburgh Woollen Mill, who were planning to open a new store.

The town centre was too large and had too much retail space which does not match the needs of retailers. There were complex economic market forces in play, and environmental changes, meaning the future was unknown. However, there was still a role for the town centre retail offer in addition to online options.

Rugby is in a good position and was pro-actively dealing with matters by nudging, facilitating and encouraging behaviours.

The Clock Towers Shopping Centre had expansion plans to attract more shops and quality retailers, though it was disappointing that the new owners were looking at refurbishment rather than re-development.

The Council has supported changes of use and there were more residential developments taking place in the town centre, such as the suite of apartments above the Nat West Bank. More residents in the town would mean more consumers driving retail need.

Q. Shopping habits have changed and more people shop online, or by click and collect but changes in the town are not just related to retail but also commerce and trade. Were there any plans to intervene in the former Herbert Grey College site or the Cemex site and car park on Evreux Way?

A. Discussions have been held with Cemex and opportunities to move the council offices would be considered. The council would act to bring the relevant parties together for talks and the role of the Leader was to be clear on the options available and understand what action was necessary. The role of the council was to facilitate and bring the relevant landowners and parties together for talks. Compulsory purchase would not be an easy option. There was little point in the Council trying to acquire the site with no tangible scheme in place. The owner of the car park opposite the Town Hall had submitted a planning application but this was viewed as an evaluation exercise. Retailers would take the situation more seriously once planning permission was in place. There was a possibility the council could intervene in any scheme supported by the Local Plan provided the developer was underwriting the cost and the council was not financially exposed.

The success of the town centre could not be measured by the amount of shops. A balance was needed between out of town and town centre retail offers that matched consumers' needs. Rugby was fortunate that Elliotts Field Shopping Park was only one mile from the town centre.

The Leader's and the Council's role was to make the town centre as attractive as possible and continue to attract the right level of investment and retail businesses, but not to focus on the number of shops.

Q. What feedback has been received from other councils?

A. With the exception of Stratford, all other local authorities across Warwickshire were struggling. There were many other market forces such as same-day delivery offers and drone delivery technology and the future was largely unknown.

Future of The Retreat and The Lawn

Q. Were there any plans for The Retreat and The Lawn?

A. The Corporate Property Unit have been tasked with exploring options for the whole site, incorporating the Retreat, including its sale for housing or other suitable re-development. The Retreat had been moth-balled for a long time and whilst savings were realised by having it un-occupied a decision on its future was needed. Care would be needed regarding what the site could be used for. A report on the options should be available in the next municipal year.

Green policies (air pollution, traffic and long-term strategy for recycling)

Q. What air pollution issues were being faced in Rugby?

A. Rugby was not a polluted area and was generally a clean town with low percentage levels of pollution. There were a couple of hot spots of raised pollution levels, including one in Dunchurch.

The responsibility of the council was for the monitoring of air pollution levels. One crucial gap was the lack of a Strategic Transport Plan for the greater Rugby area but Warwickshire County Council (WCC), which is the highways authority, had not produced one.

It was not just about roads. It was impossible to state that developments cannot be permitted due to air quality without looking at long term solutions but the lack of a strategic plan made it difficult to explore mitigation.

Rugby was not a highways authority and the support of twin-hatters in approaching WCC would be welcomed.

A traffic survey was recently carried out in the town centre to inform the Local Plan.

Q. What powers exist though the planning process?

A. Air quality issues relating to the gyratory system was one factor referred to in the report for the planning application for a supermarket on the Cemex site. Responsibility for mitigation lies with the developer but electric charging points would not be enough. In the absence of a strategic transport plan it was impossible to see the bigger picture.

Q. As a member of the EU much of the environmental legislation comes from Europe. Has the Council learnt any green agenda renewable lessons? Will it stick to the agenda after 2020?

A. A balance was needed between green policies and the way the Council administers the Environment and Public Health portfolio in the best way for Rugby. The main focus was on how the Council engages with partners and stakeholders rather than on legislation. Recycling services go above and beyond what was required as a statutory service, but there was always more that could be done. The Council was serious about the environment and people it represents. It would explore ways it looks waste and recycling this year as the market has changed and it was no longer profitable to recycle.

Cemex Climafuel was on the doorstep but the Council was bound by the contracts entered into by WCC. There were other ways of handling waste and more viable options to explore. No change was anticipated whatever the outcome of the Referendum.

Developing relationships with other councils

Rugby had a particularly good relationship with Coventry City Council and Warwickshire County Council. Joint meetings took place to discuss big issues and key areas. The Leader had a key role in facilitating these discussions.

Following the decision of full Council to join the West Midlands Combined Authority (WMCA), the Leader was now a member of the Board with an equal voice. Topics for discussion included a joined up transport plan and the Leader intended to take advantage of any opportunities to help put pressure on WCC. The County Council was a non-constituent member of the WMCA.

Q. The council had strong relationships with other authorities on the south west border, but what about the east or north boundaries including Hinckley, Bedworth or Northampton?

A. Hinckley and Bosworth Borough Council was an honorary member of the Coventry and Warwickshire Local Enterprise Partnership which had opened working partnerships with the Council. Rugby had a successful partnership with Daventry District Council following the joint enterprise of the Rainsbrook Crematorium and other services. Rugby reached out to all bordering councils who show an interest in working with the Council.

Empty properties

Q. What is the Council doing to encourage individuals, builders and developers to get empty properties back on the market and can we be confident we are defining "empty properties" correctly and that we know the real number?

A. The total number of empty properties in May was 820. Of these 220 were long term (6 months – 2 years) for which 100 per cent of council tax was payable, and 82 had been empty for over 2 years and were liable for 150 per cent council tax. Five hundred and eighteen properties were exempt or due to natural occurrences such as death.

Officers visit all empty houses and carry out checks on the situation and the reasons for them remaining empty. If they had been empty for more than two years officers gave advice on ways they may be brought back into a habitable state. Sometimes they could be rented out but owners were not always keen on letting to social housing tenants. The council introduced a scheme to underwrite the costs of damage caused by tenants but only a few landlords were interested. Councillors requested further information on the numbers involved.

Q. What action is the council taking to encourage landlords to let properties and ensure they fulfil their obligations?

A. The council constantly monitors empty properties and had an inspection regime in place once they were let. It would always maximise publicity any prosecutions for letting of property in an illegal condition.

Periodic checks were also carried out by the council on Experian to look for any activity at empty houses.

Many people had second properties but becoming a part time landlord was not as financially attractive as it was in the past and often the properties were of a lower standard than those rented from professional landlords.

Q. Does the council have any plans to build new social housing?

A. Rugby was unusual in owning housing stock but there were no plans to build new properties. The council would buy property that became available to add to existing stock.

Councillors requested additional information on the process of probate in relation to empty properties.

RESOLVED THAT – the Leader and Executive Director be thanked for attending the meeting.

8. MATTERS ARISING FROM FINANCE AND PERFORMANCE REPORT

The committee received a report (Part 1 – agenda item 5) concerning matters previously raised from the Quarter 3 Finance and Performance report.

On 14 March 2016 the committee had raised questions relating to the levels of recording for street cleansing and requested a follow-up report on meaningful performance data for flytipping and street cleaning.

The committee reviewed detailed information contained in appendices 1 and 2 to the report which demonstrated the complexity and ambiguity in publishing that information and how this was gathered.

Some performance indicators were removed for economic reasons and to help save resources.

Whilst the data available was interesting it was not particularly meaningful.

The council does not record specific details of every incident of flytipping such as the type of waste or amount, or whether domestic or commercial. A certain level of detail was needed as evidence for enforcement action but otherwise it was not meaningful to track such information.

Resources were targeted as need arose. A change in legislation meant that fixed penalty notices could now be issued for fly tipping offences. The fee was £400 or £300 if paid promptly but sufficient evidence was required to be able to issue a notice.

Members commented that receiving an annual report would be useful and asked if RPMS would be revised to link to the new portfolios. Some members find RPMS a useful tool to interrogate but were reliant on officers updating and revising the content.

RPMS should be reviewed and the process of updating indicators and actions should be embedded into work practices.

Performance indicators for flytipping and street cleansing should be separated into ward areas with particular regard to rural and urban areas.

The Head of Corporate Resources reported that a piece of work was planned to review all performance indicators. Each service area would be consulted on how they monitor their performance versus how they tell the story and engage with stakeholders, including councillors. It was an iterative process and effective monitoring was required.

RESOLVED THAT – performance indicators for flytipping and street cleansing be considered as part of the review of performance indicators

9. SCRUTINY REVIEW OF DOG CONTROL ORDERS AND PUBLIC SPACES PROTECTION ORDERS

The committee received a report (Part 1 – agenda item 6) concerning the one-page strategy for a review of dog control orders and public spaces protection orders.

During discussion the following points were made:

The review should focus on ways to change behaviour but not just related to dog owners. There were a number of issues relating to public open spaces.

It was agreed the review would be an effective piece of scrutiny work and the task group should be appointed as soon as possible.

RESOLVED THAT – the one-page strategy be agreed.

10. MENTAL HEALTH SERVICES FOR YOUNG PEOPLE

The committee received a report (Part 1 – agenda item 7) concerning the focus of the light touch review and the one-page strategy.

The review will be carried out as a light touch and placed on the agenda for the meeting due to be held on 12 September.

Representatives from Coventry and Warwickshire Partnership Trust and Rugby CCG would be invited to attend the meeting.

During discussion of the focus of the review the following points were made:

Representatives from Healthwatch Warwickshire should also be invited to attend the meeting.

Joined up working was necessary linking housing to health services to help support and protect abuse victims.

A member suggested that the local branch of Improving Access to Psychological Therapies (IAPT) group should be included in the one-page strategy as a consultee.

Warwickshire County Council was the statutory scrutiny body for health so it was important not to duplicate work and to carry out a piece of work that focuses on a Rugby perspective.

Although the Council was not responsible for health or education, members suggested that it would be worthwhile to raise the issue of mental health with young people through local schools. The Chair informed the committee that there would be an opportunity to carry forward any suggestions that arose through the review via the scrutiny work programme selection process.

Members noted that Rugby Youth Council receive a copy of agendas for both scrutiny committee meetings with an open invitation to attend.

RESOLVED THAT – the focus of the review and the one-page strategy be agreed.

11. COMMITTEE WORK PROGRAMME

The committee considered the amended version of a report (Part 1 – agenda item 8) concerning the progress of task group reviews and agenda items for future meetings.

The committee noted the position regarding reviews and the work programme for the next municipal year.

Review of On-Street Car Parking

The proposed date of the select committee style meeting was 11 July. Officers from WCC had said that they would not attend but once the WCC portfolio holder had confirmed his attendance an email would be circulated to members to confirm the date.

It was expected that a lot of evidence would be gathered at the meeting and the Scrutiny Officer suggested that a follow-up meeting be held one-two weeks later to consider conclusions and recommendations.

SLAs with voluntary sector organisations

The one-page strategy will be reviewed at the meeting on 12 September with a view to commencing the review later in the autumn.

The following topics would be scheduled into the future work programme by the scrutiny chairs and vice-chairs at their planning meeting on 20 July:

- Portfolio holder reports
- Air quality management and monitoring annual update

- Reports on impact of past reviews
- Scrutiny review scoping and final reports
- Ambulance service

RESOLVED THAT – the report be noted.

CHAIR