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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

SCRUTINY COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 28 NOVEMBER 2023

Councillors Present: Carolyne Culver (Chairman), Dominic Boeck (Vice-Chairman), Antony Amirtharaj, Paul Dick, Ross Mackinnon, Erik Pattenden, Justin Pemberton, Christopher Read and Billy Drummond (Substitute) (In place of Geoff Mayes)

Also Present: Nigel Lynn (Chief Executive), Paul Coe (Interim Executive Director – People), AnnMarie Dodds (Executive Director - Children and Family Services), Joseph Holmes (Executive Director - Resources), Sarah Clarke (Service Director (Strategy and Governance)), April Peberdy (Acting Service Director - Communities and Wellbeing) and Dave Wraight (Service Manager - Youth Offending Team), Councillor Dennis Benneyworth (Chairman), Councillor Clive Hooker, Councillor Paul Kander, Councillor Biyi Oloko, Nicola Thomas, Kevin White (Montagu Evans), Gordon Oliver (Democratic Services) and Vicky Phoenix (Principal Policy Officer - Scrutiny)

Attending Remotely: Councillor Dennis Benneyworth, Councillor Clive Hooker, Councillor Paul Kander, Councillor Biyi Oloko, Councillor Howard Woollaston, and Sarah Clarke (Service Director (Strategy and Governance)).

Apologies for inability to attend the meeting: Councillor Geoff Mayes

PART I

31. Minutes

The Minutes of the meetings held on 14 September 2023 and 11 October 2023 were approved as a true and correct record and signed by the Chairman.

32. Actions from previous Minutes

Members noted the updates on actions from the previous meetings.

A typo was highlighted in Action 90.

It was noted that an issue had been raised at Health and Wellbeing Board in relation to Council Tax, possible reductions and also debt collection mechanisms. This was to be discussed at the Mental Health Action Group, to which Councillor Carolyne Culver had been invited. It was asked that this be added to the action log.

33. Declarations of Interest

Councillor Justin Pemberton declared an interest in Agenda Item 7, and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would remain to take part in the debate, but would not take part in any vote on the matter.

34. Petitions

There were no petitions to be received at the meeting.

35. Items called-in following the meeting of the Executive on 2 November 2023

The Commission considered the call-in of the Executive Decision (EX4402) on 2 November 2023 regarding the Property Investment Strategy Review (Agenda Item 6).

Councillor Iain Cottingham (Executive Portfolio Holder for Finance and Corporate Services) presented the background to the Executive report and the reasons for the decision. Key points were as follows:

- There was considerable pressure to deliver a balanced budget in 2023/24 and various options had been considered to achieve this.
- The main reason to divest the investment property portfolio was to comply with government policy, which stated that local authorities should not take undue risk with taxpayers' money. The administration considered that being a buy to let commercial landlord constituted undue risk.
- Although the Council had borrowed funds at a low rate of interest, and the portfolio was well diversified, the value of the assets had decreased since purchased 5-6 years ago.
- Government guidance was to use capital receipts in order to achieve a balanced budget in current and future financial years. Capital receipts would allow investment of these funds rather than borrowing via the Public Works Loan Board at current interest rates (circa 5.7%).
- There would be a capital saving by reusing capital receipts to reinvest for the benefit of West Berkshire residents rather than investing in assets right across the country, which would require capital investment of around £2 million over the next 10 years for maintenance.

Councillor Ross Mackinnon presented the reasons for the call-in:

- A publicly stated strategy of divesting the whole portfolio by a certain date put the Council at a severe commercial disadvantage when negotiating with potential buyers.
- The Executive paper included financial projections, which indicated that the properties could be sold at a significant capital loss.
- Publication of the above strategy would mean that the Council would receive much less than they otherwise would have done.
- There was an error in the financial description – savings of £6.9 million would be cumulative over the life of the Medium Term Financial Strategy rather than annual savings.
- During the debate at Executive, more than one councillor had indicated that they did not fully understand the report's financial implications, and Members of the Executive may also have struggled to understand these.
- It was suggested that Members of the Executive did not have the competence to make the decision, since the Budget and Policy Framework reserved decisions on the Property Investment Strategy for Full Council. Any in-year changes could only be made by the Executive in very narrow circumstances, which had not been met.
- The Monitoring Officer had indicated that the Executive had not actually made a decision to change the Strategy.

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The Chairman invited Joseph Holmes (S.151 Officer) and Nicola Thomas (Deputy Monitoring Officer) to provide their advice as to whether the decision had been contrary to the Budget and Policy Framework:

- It was acknowledged that the report should have been clearer that it would be taken to Full Council in February 2024 where there would be the opportunity for a full debate.
- There would be no changes made to the strategy until a sale occurred. In the meantime, the Council would continue to generate receipts and maintain its properties.
- The Part II report had proposed a disposal.

In considering whether or not the decision had been in accordance with the Budget and Policy Framework, the following points were discussed:

- The report did not say that the Strategy Review would be referred to Council, and this had not been mentioned in the debate. Also, it had not been clear that the Property Investment Strategy was not being changed by the Executive. It was suggested that this position had been put up after the fact.
- It was queried whether the Executive was acting in accordance with the current Strategy, or if they were actively seeking to divest. The latter was against the Strategy, which was part of the Budget and Policy Framework.
- While the Property Investment Board had the power to dispose of individual assets, the change in strategy to disinvest would be considered at Council. This was as per the recommendation in the Executive report, accepting that the wording was not as clear as it could be.
- Councillor Cottingham conceded that he thought the Executive had been asked to make a decision regarding the Property Investment Strategy Review on 2 November 2023.
- The Executive paper should have clearly indicated that Council would be the ultimate decision making body, and that the Executive was only giving a view on the proposal.
- The Forward Plan had listed the Executive as the decision making body.
- If no decision had been made, then how could it be called-in?

The Chairman indicated that she was minded to debate the matter at this meeting rather than referring the matter to Council. This was agreed by the other Members present. Key points raised in the debate were:

- The current administration had applauded the Property Investment Strategy when it had been introduced - it was supposed to be a long-term strategy that, if maintained, would ride out rises and falls in the market.
- While the Council had been fortunate to achieve 100% occupancy and rental income, the current economic climate was different to six years ago. Retail rental was falling, office rental was not strong, and the commercial rental sector was heading for stormy waters. If the council's portfolio was in line with the industry average of 70% occupancy, then it would not cover its costs. Divesting the portfolio now would reduce the risk to taxpayers.
- The approach was perceived to be laced with prejudice and it was difficult to see how there could be a robust discussion.

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- Making public the intention to divest the portfolio weakened the Council's position in relation to the value that could be realised from the sale of the properties. The decision was felt to represent a change to the agreed Strategy.
- It was suggested that the only sensible course of action was to maintain the status quo.
- The public was being consulted on the basis of a decision that had not been made.
- The competence of the Executive to make significant decisions was questioned.
- While the reasons for the proposed change in approach were understood, the speed with which it had been published would jeopardise the value of the capital receipts that could be secured.
- It was explained that when local authorities had started buying commercial properties, they had collectively accounted for just 4% of the market. Montagu Evans had confirmed that publicity about the intention to sell, would make no difference to the price achieved - properties would be sold on the open market, and if offers were too low, then the properties would not be sold.
- The Council was legally obliged to publish the book value price of its assets and the Executive was simply being transparent.
- Unless there was an urgent need to sell, it was suggested that the Council should retain its assets, otherwise it would be selling at the bottom of the market.
- A recent Council press release had indicated that the need for capital was just £1.5 million, so it was not clear as to why the Council needed to sell now.
- Members asked to see the research that had shown that announcing the intention to divest the portfolio would not affect the sale price. It was suggested that the press release had created the impression of a 'fire sale'.
- Kevin White was asked if advice had been sought from Montagu Evans on the timing of the sale. It was confirmed that the Property Investment Board had asked for advice on how best to realise £10 million by selling some or all of the assets, based on: current market conditions; the asset management plans for each of the assets; and the likely value of the assets after costs.
- Kevin White was asked if a rise in capital value could be expected if interest rates were to fall. He indicated that it was difficult to speculate and the right time to sell depended on the needs of the owner. Yields were set with reference to gilts, property related risk and illiquid asset risk. As gilt rates fell, then this would have a knock-on effect on total yield.
- Kevin White was asked if advice had been sought from Montagu Evans about the wisdom of publicising the strategy with a specific end date. It was confirmed that they had not been asked this particular question. However, when a client started to sell assets, it affected the balance of risk across the portfolio, so it was logical to consider divesting over a period of time, so risk was not concentrated in a few assets.
- The Council was in financial distress, the UK economic forecast was poor and interest rates were forecast to remain high. In order to create a fair deal for taxpayers, it was important to consider options. The Executive was being transparent rather than naive, and the proposed approach would give fair value to residents. Residents would expect the administration not to have political bias on this matter.
- It was suggested that the Council should not be a commercial buy to let landlord in the current economic climate.

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- While the Liberal Democrats may have previously supported the Strategy, they had grown from four Members to 28 and the economic climate had changed in that time.
- It was queried whether this was the appropriate forum to have the debate, since the matter would be discussed at Council. It was explained that the intention was for all Budget proposals to go through Scrutiny. The Property Investment Strategy (PIS) would be considered as part of the Investment and Borrowing Strategy (IBS), which would go to Council in February. This call-in was allowed to provide a proper and transparent debate around the PIS, which may not be possible as part of the wider IBS.
- It was suggested that selling commercial property assets would contribute to rather than alleviate the Council's financial distress, since their net profit was £1.3 million.
- While transparency was welcomed, Part II items were necessary to deal with commercially sensitive matters. It was suggested that telling commercial property markets that the Council needed to sell its assets by a hard deadline was not commercially sensible and there were times when the Council should not be transparent in order to achieve best value for residents.
- It was noted that if Members wished to discuss the individual asset proposed for sale, then that would need to be as a Part II item. It was confirmed that there was no need to discuss this aspect.
- Councillor Cottingham could not recall a statement being made that the administration wished to dispose of all its properties in the short-term. The plan was to dispose of properties over a three year period.
- It was noted that when the Council was buying its assets, it had made a similar announcement to that made recently in relation to the proposed sale. However, this was a very large market with thousands of potential properties, so there would have been very little impact on the market.
- A question was asked as to what could be done to get a better deal for the taxpayer.
- Members noted that in March 2023, Appendix D of the Capital Strategy had said that the Council was reviewing its assets and regularly challenging the purposes of assets, including the commercial property portfolio, and there may be opportunities in 2023/24 or beyond to sell assets to fund transformation activity.
- The Leader of the Council expressed concerns about the call-in, if a decision had not been made by the Executive, but he welcomed the views of Scrutiny Commission Members. He noted that the proposed sale was in line with the Council's published Capital Strategy. Values for the Council's commercial properties had been published every year in the Annual Report. He reiterated the point that if offers did not represent best value, then they would not be accepted.

The Chairman suggested that while a decision had not been made, the Scrutiny Commission could still make recommendations to the Executive about what they would like to see in the Property Investment Strategy report prior to consideration at full Council, noting that the Property Investment Board had the power to dispose of properties up to the value of £15 million.

Resolved to recommend to the Executive that:

- a) they should not seek to dispose of all of the Council's commercial properties;
and**
- b) they should not seek to dispose of properties by a particular date.**

36. Fostering in West Berkshire

Dave Wraight presented the report on Fostering in West Berkshire (Agenda Item 7).

The following points were raised in the debate:

- Members were very supportive of the report and congratulated the officers.
- Members asked about the differences in outcomes for fostered children compared with those in other forms of care. It was explained that stability was important. Fostered children cited having someone who cared / looked out for them and was interested in them as being the most important thing to them. Foster carers provided stability, love, care and attention and were de facto parents. This made a tangible difference to those children.
- A question was asked about how many children were in a care home who didn't need to be. Officers explained that children were not placed into residential homes who did not need it or unless there were no other placements available. There were around five children who were in residential homes where foster carers were being sought, but there was a shortage of places.
- Members asked about the potential saving from moving children from residential care to foster homes. Officers indicated that children who they were looking to step down into foster care currently cost between £3,500 - £4,500. The overall cost was £6,500, but that included some children with particular needs who required 2:1 staffing, where it would not be possible to step them down into foster care.
- Members asked whether having a dedicated officer for foster carer recruitment would improve the timeline for approval of new foster carers. Officers indicated that there would be time savings, because the function would not be in addition to an individual's other responsibilities. However, some aspects had a fixed timescale, such as training of new foster carers. Normally, it would take 7-8 months, but it was suggested that this could be reduced by a couple of months.
- A question was asked about whether foster carers would be entitled to the 30 hours of childcare per week announced in the March 2023 Budget. It was confirmed that they would be eligible.
- Members asked about families who were hosting refugee children. It was explained that unaccompanied refugee children would be placed by Children and Family Services. If they were under-16, they would be placed in foster care. Supported lodgings were used for 16-17 year olds. Arrangements were different for refugee children who were with their families, but families who were no longer hosting refugees had been approached to see if they would be interested in fostering.
- There was discussion about private fostering arrangements where children went to live with other family members. While Children and Family Services would need to know about such arrangements, that was the limit of their involvement. However, where children were removed from their home environment and relatives were asked to care for them, that was covered by kinship care or connected fostering arrangements, which would need to be assessed and regulated. The level of funding and support provided under those arrangements were the same as for other foster families.
- A suggestion was made for the dedicated officer for foster carer recruitment to be part of HR rather than Children's Services.
- It was noted that the job description stated that it was essential to have experience of using social media platforms, but only desirable to have worked in recruitment or

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marketing. However, Members felt that the role was mostly about going into the community for face-to-face discussions to develop relationships and build trust. Support / training for using social media could be provided by IT / the Comms Team.

- Members felt that it was important to improve the remuneration and allowances for foster carers. The proposal to participate in regional fostering recruitment partnerships was also welcomed.
- There was some discussion about the relative benefits of payments vs Council Tax relief. It was suggested that providing Council Tax relief for foster carers would set a difficult precedent, since other parties may ask for similar relief, so it might be better to give foster carers more money and Members felt that the upper level of the 5-10% range would be appropriate. However, it was also recognised that paying people more money might result in them paying more tax - much would depend on the particular circumstances of the individual.
- Remuneration was recognised as a key issue, and while allowances were good, in some cases, they were not sufficient, especially for more complex cases, where the carer was unable to work.
- It was noted that the 3.5% increase from April 2023 was the first increase paid in five years.
- Officers stressed that the offer to foster carers needed to be competitive in terms of payments and support, since local authorities were fighting for the same small pool of people.
- Officers reiterated that West Berkshire Council was performing well in terms of the number of children it had in foster care and exceptionally well in terms of in-house foster care placements. This was testament to the support provided. Within the industry, a lack of support was often highlighted by foster carers as a reason for leaving. Having a dedicated officer for recruitment was seen as essential, and it was recognised that there may be merit in looking at marketing or HR professionals. Marketing was acknowledged to be key in terms of getting people through the door. Officers also highlighted that small increases in allowances may go unnoticed by foster carers, but the most successful local authorities tended to offer Council Tax relief, which would be more significant. It was suggested that foster carers should be asked about what they would see as being most beneficial. The aim was for West Berkshire to be the local authority of choice for foster carers.

Resolved to note the report.

37. Equalities, Diversity and Inclusion Framework

April Peberdy (Interim Service Director – Communities and Wellbeing) presented the item on the Equality, Diversity and Inclusion Framework (Agenda Item 8).

The following points were raised in the debate:

- Members questioned the text on P104, which said *'this will align with one of the goals of the newly elected Liberal Democrat administration to demonstrate that West Berkshire is a good place to work'*. It was suggested that reports or strategy documents should not refer to individual political parties. It was also noted that the priority was similar to that of the previous administration.
- Members noted the aim to progress to achieving Stonewall accreditation. However, in recent months, several large organisations had left the Stonewall Champions Scheme due to concerns related to its Chief Executive's comments about people with gender-

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critical views. Also, an independent review had found that any organisations who followed Stonewall's advice risked committing unlawful discrimination itself. Members were reluctant to pursue Stonewall accreditation, and it was suggested that the Executive may wish to reconsider this.

- In relation to support for Armed Forces personnel, Members noted that there was only one reference to Dennison Barracks and asked if the commitment should be widened to include those who had retired from the Armed Forces. The Council should be actively seeking to identify them and engage with them. It was confirmed that officers would be engaging with retired Armed Forces personnel to understand their needs and ensure they were met. It was noted that the Armed Forces Champion was Councillor Stephanie Steevenson.
- Officers indicated that the aim was to have EDI Champions across the Council, including a Member EDI Champion.
- On page 104, it was suggested that economic, health and economic opportunities be expanded to include social opportunities to address issues with social isolation.

Action: Add social opportunities to the list on page 104.

- It was noted that the appendices referred to 'equity' rather than 'equality'. This was not part of the Equalities Directive, and it was suggested that achieving 'equity' might be an unachievable goal. Members noted that previously there had been no mention of equity. Officers suggested that the aim should be to achieve 'equity' as far as possible, so everyone had the same ability to access services.
- It was noted that equity could be achieved in different ways, and some were easy to achieve (e.g., presenting information in different formats for people with dyslexia).
- Surprise was expressed that some Members may not wish to aspire to equity, and it was suggested that it was incumbent on the Council to address inequity wherever possible.
- It was highlighted that p103 of the report talked about transport initiatives, before noting that funding was not available to deliver them. Officers were asked if more should be done to address transport issues, particularly in rural areas. Officers explained that issues could be addressed by delivering services in different ways (e.g., outreach services within communities rather than providing transport).
- Councillor Lee Dillon indicated that he was happy to accommodate the comment around tackling social isolation, although this was picked up in other strategies. In relation to the equity vs equality issue, he suggested that equity would require allocation of the correct resources so individual could achieve an equal outcome. He suggested that this was a point of difference between the Liberal Democrats and Conservatives.
- It was suggested that equity was wrapped up within equality and it was highlighted that it may be helpful to have these terms defined within the document. Councillor Ross Mackinnon indicated that Conservatives were fully supportive of measures to promote equality of opportunity.

Action: Definitions of equity and equality to be incorporated into the EDI Framework, possibly within a glossary.

- It was suggested that the Framework was setting ambitions that would not be achievable. For example, one issue highlighted in the action plan was around inequity amongst Councillors, with some communities / individuals with particular characteristics not represented. However, it was not clear how the Council could

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address that issue, since this was governed by the election process. However, it was accepted that the political parties could do more.

- It was noted that the Framework set out what needed to be done and the aspiration to go beyond that with particular groups / communities so they could access services in the same way as others.
- It was noted that page 201 set out how the Council would engage with LGBT communities, disabled people and others. Members asked how the Council engaged with these groups already. Officers explained that the Council had held recent events for LGBT families at the West Berkshire Museum. Also, work was ongoing within Adult Social Care around supported employment for people with disabilities. Adult Social Care sought to cater for individual client's additional needs and to support them to engage with their community. The Care Act set out requirements to support people within their local community and to enjoy a successful life.

Resolved to note the report.

38. 2023/24 Revenue Financial Performance Quarter Two

Joseph Holmes (Executive Director – Resources) presented the Revenue Financial Performance Report for Quarter Three 2022/23 (Agenda Item 9).

The following points were raised in the debate:

- Members noted that the forecast savings required for 2024/25 had increased to £14 million, which represented an increase of £11 million over 3 years. Officers highlighted that a report to Executive on 2 November had set out the reasons for the increase, including an increased in demand and forecast model growth for adults' and children's social care costs.
- A question was asked about the £2.3 million flexible use of capital receipts for transformational activity. It was noted that government guidance set out what Councils could use capital receipts for, including to reduce future borrowing requirements and to fund the capital programme. Since 2015, government had allowed councils the flexibility to use capital receipts to fund transformation activity. The definition for this was pretty wide. Previously, the main constraint in West Berkshire had been the lack of capital receipts, because the Council was not rich in capital assets. The emphasis was on invest-to-save projects. The report to Executive had separated planned and new spend. Examples included nearly £1 million for recruitment and retention payments for Children's Social Care Workers where the aspiration was to reduce agency costs. It was also proposed to use capital receipts against the work of the Projects Team and Digital Team in areas where the Council was seeking to reduce unit cost of delivering services.
- Members commended the measures that had been taken by officers to manage cost pressures around procurement, staffing and agency costs, and asked about the levels of savings that would be delivered in future years. Officers indicated that it was hard to quantify savings in the long-terms, but agency costs for the most recent four-week period were £580,000 compared with just under £750,000 a year ago. Agency costs were expected to come down further in Q3. The Council had been successful in permanent recruitment to posts, but there were still significant numbers of agency staff in Children's and Adults' Social Care.
- Members noted that the £3.7 million overspend for Children and Family Services, was after use of reserves, mitigations and transformation funding and asked for more detail. It was explained that there had been an investment around enhancing

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children's social workers' package to secure more permanent staff and reduce reliance on agency workers. The flexile use of capital receipts would reduce the overspend position.

- A question was asked around the seasonality of spend on agency staff. Officers confirmed that there were some peaks and troughs with spend in December being slightly lower due to the additional bank holidays. It was noted that the report made like for like comparisons.
- Members asked if savings were being achieved from agency staff moving to full-time contracts or just reaching the end of their temporary contracts and not being replaced. Officers indicated that it was a mix of both – 22 agency staff had become permanent.
- There was discussion around the difference in cost between agency and in-house staff, taking account of on-costs. Officers indicated that this varied, with agency costs being higher in posts where nationally there were large numbers of vacancies, but uplift could be 30% or more.
- Members asked about the amount spent on posting neighbour notification letters for planning applications to date.

Action: Joseph Holmes to confirm postage costs to Councillor Mackinnon.

- It was noted that Table 5.3 of the report referred to Executive approving the sale of capital assets, which implied that a decision had been made.
- Members sought clarification around whether selling Willows Edge Care Home or having it run by a private provider would save money. It was noted that the figures in the report related to the current year, while those quoted in a recent press release referred to future years.
- Members asked what was involved in applying for a capital directive and how concerned officers were about the next stage of the process. Officers explained that the Chief Executive would have to write to the Department for Levelling Up, Housing and Communities (DLUHC), requesting a specific amount of funding. The application would be accompanied by answers to standard questions about aspects such as: levels of reserves, benchmarking against other councils, debt levels, the Council's commercial property portfolio, etc. The next stage would be to get a 'minded to decision'. DLUHC would commission an external review of the Council. If that review was satisfactory, then the funding would be allocated and the report made public. It was noted that West Berkshire Council was in a better position in Q2 than Q1, but it remained below the minimum level of reserves set out in the budget papers. Nevertheless, it was projected to still have a general fund balance. The Medium term Financial Strategy sought to increase the reserve by around £1 million per year. However, that figure may change as Q3 figures were calculated. Officers did not expect any additional funding as a result of the government's autumn statement.

Resolved to note the report.

39. Health Scrutiny Committee Update

Councillor Carolyn Culver provided an update on the work of the Health Scrutiny Committee (Agenda Item 10). Key points were as follows:

- The Health Scrutiny Committee had not met since the last Scrutiny Commission meeting.
- The Healthcare in New Developments Task and Finish Group had met recently. The scope of the review included:

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- consideration of the health needs of the local population;
 - how future primary care / public health services were planned with consideration for housing growth and demographic changes;
 - clarity around planning policy and planning consultations with key stakeholders;
 - greater understanding around commissioning of health services for new developments.
- The Task Group had started its review before the election and its membership had changed following the election. There had been just one meeting since the election, but a further three sessions were planned.

Resolved to note the update.

40. Appointment of Task and Finish Groups

The Chairman provided an update on the Appointment of Task and Finish Groups (Agenda Item 11).

It was confirmed that Councillor Paul Kander had replaced Councillor Dominic Boeck on the Covid and Recovery Task and Finish Group.

The Task Group had met once, but a further session was planned for December 2023, with further sessions planned in the New Year.

Resolved to note the update.

41. Sports Hub, Monks Lane, Newbury

The Chairman presented the item on the Sports Hub, Monks Lane, Newbury (Agenda Item 12).

Previously, the Scrutiny Commission had asked for costings related to the Sports Hub. These were reported to Executive on 2 November 2023.

The Chairman outlined a proposal for a Task and Finish Group to be set up to undertake a review of the Sports Hub for the following reasons:

- **Value for Money** – Despite the Council being in a challenging financial position, funds for the scheme had been reprofiled rather than being put back into the pot for reallocation. It was not clear what the funds would be used for if the Monks Lane scheme was not to be progressed.
- **Project Management** – The London Road Industrial Estate (LRIE) Task Group had made recommendations on how the Council could improve its project management processes. It was important to learn lessons from the Sports Hub project.
- **Advice Received** – There was inconsistency in the advice to Planning Committee and Executive. Lessons needed to be learned in order to avoid similar issues in future.
- **Strategies** – The Council's Playing Pitch Strategy identified the top priority as Faraday Road, but numerous references were made at meetings to Monks Lane being the top priority. If Monks Lane was the top priority then it was a de facto replacement for Faraday Road, but District Planning Committee and the High Court were told that it was not a replacement.

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It was suggested that the Task Group could consider whether Members of the Executive should be on a Planning Committee where the Council was the applicant, as had happened with Monks Lane.

It was suggested that the Task Group could be concluded quite quickly.

The following items were raised in the debate:

- The Conservative Members supported the proposed review and suggested that 'replacement' could be taken to mean replacement in planning or strategic terms.
- It was highlighted that the new administration had different priorities and was already delivering football at Faraday Road. It was questioned whether it would be worth spending time and effort on a review of the Sports Hub. The LRIE review had already looked at project management and lessons learned were being implemented. It was suggested that scrutiny reviews should focus on the work of the current administration.
- Members noted that the Financial Review Panel were scrutinising all spend over £500, which showed that lessons had been learned and were being applied. It was suggested that if a future project was to have issues with project management, then that would be the appropriate time for a review, and the Commission should be forward looking.
- It was suggested that the Council's priorities had not materially changed, but there had been a significant change in tactics. It was noted that the Leader of the Council had welcomed scrutiny.
- Members recognised that it was important to look at lessons learned and best practice. It was suggested that if the review could be concluded quickly then it would be worthwhile in order to inform future decisions.
- It was highlighted that the mismanagement / spend on project management consultancy had been acknowledged and was being looked at by the Executive, and the review would be unlikely to come up with different recommendations.
- A comment was made that the Scrutiny Commission was not supposed to be political. The current administration disagreed with the idea of the Sports Hub, and it was suggested that it was not a good use of time to look at a defunct project.
- It was suggested that the review should be about more than cost control.
- The Chairman indicated that it was not proposed to rake over ancient history.

Resolved to set up a Task and Finish Group to review the Sports Hub.

42. Thames Water Update

The Chairman provided an update following the review of Thames Water's activities at the meeting on 11 October 2023 (Agenda Item 13).

The Chairman had kept in contact with parties who had spoken at the previous meeting. She offered to circulate a detailed update with the minutes of this meeting.

Action: Councillor Carlyne Culver to circulate an update with the minutes.

It was recognised that it was important for the Scrutiny Commission to follow up with Thames Water on issues raised at the meeting, including:

- Tankers were once again being used at East Garston and Brimpton.

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- Thames Water had acknowledged that sewage had been released into the River Pang and had issued an apology.
- Councillor Stuart Gourley had been seeking a meeting with Thames Water and the Environment Agency regarding the London Road Pumping Station and pollution in the Northbrook Stream.
- Councillor Paul Dick had followed up on questions asked at the meeting.
- Stakeholders who had spoken at the meeting had provided feedback on performance metrics – this had been passed to Thames Water.
- There had been flooding at Standford Dingley since the lining and sealing works had been completed.

It was noted that Thames Water had been responsive to queries. Members were encouraged to report issues to Richard Aylard and Karen Nelson.

Resolved to note the update.

43. **West Berkshire Council Executive Forward Plan**

The Commission considered the West Berkshire Forward Plan (Agenda Item 14).

It was noted that the Waste Strategy was on the agenda for 27 February 2024.

A question was asked about the item related to the response to the Rwanda motion. It was suggested that this related to a motion proposed by former Councillor Steve Masters.

Resolved that the Forward Plan be noted.

44. **Scrutiny Commission Work Programme**

The Commission considered its work programme (Agenda Item 15).

At the workshop with the Executive Members and senior officers in September, a number of ideas had been put forward, which had been run through the PAPER prioritisation methodology. The Chairman read out the list of proposed items and invited comments.

It was noted that the scores had been reviewed in light of feedback received from Scrutiny Commission Members.

Issues that Members felt should be included in the work programme included:

- Waste
- Housing
- Bus services
- Active travel
- Attainment of children on free school meals

Councillor Christopher Read declared an interest in relation to the proposal to consider Wraparound Care on the basis that his wife was an early years manager. He noted that the decision to offer more generous wraparound care may accelerate the closure of nurseries, which could be particularly problematic for lower income families in rural communities.

It was suggested that the review of attainment of children on free school meals could be carried out in autumn 2024 once the next round of exam results had been published.

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It was felt that the review of Wraparound Care could be deferred until the outcomes were better understood.

It was noted that the Royal Mail's performance had been reviewed by Ofcom at the national level.

In relation to the proposed review of the Broken Market for Children's Social Care Placements, it was noted that this had been partially covered by the Fostering item. The Regional Fostering Partnerships were aimed at tackling this issue, and it was suggested that the Commission wait to see how that developed.

In relation to the proposed review of Recruitment and Retention, Members suggested that the Personnel Committee be approached to understand what information they gathered. It was suggested that this should come to the meeting on 27 February 2024. As part of the report, it was suggested that we should seek to provide comparisons with appropriate private sector organisations.

It was suggested that Housing should be considered by a Task and Finish Group. Councillors Justin Pemberton and Antony Amirtharaj asked to be part of the Task Group. Affordable rents and vacant social housing units were highlighted as issues of concern. It was suggested that this could commence when the Covid Task Group concluded.

It was proposed that the review of the Libraries Service should be considered once the 2024/25 budget had been agreed.

It was suggested that the focus of the review of bus services should be connectivity from rural wards. It was noted that the Bus Survey results were due at the end of October. Again, it was suggested that the Budget report could better inform the focus of the review.

Action: Gordon Oliver to check if the Bus Survey results were available and when the Transport Advisory Group would be looking at the Bus Strategy.

It was noted that the Cultural Heritage Strategy Delivery Plan had a low priority rating. It was suggested that this strategy may change in future. If so, then the Commission may wish to review the new strategy. It was suggested that this was not a priority.

Resolved that the changes to the work programme be noted.

(The meeting commenced at 6.30 pm and closed at 9.20 pm)

CHAIRMAN

Date of Signature