

# **SCRUTINY COMMISSION**

## **MINUTES OF THE MEETING HELD ON TUESDAY, 7 MARCH 2023**

**Councillors Present:** Alan Law (Chairman), Adrian Abbs (Vice-Chairman), James Cole, Tony Linden, Steve Masters, Biyi Oloko and Tony Vickers

**Also Present:** Nigel Lynn (Chief Executive), Paul Coe (Interim Executive Director – People), Joseph Holmes (Executive Director - Resources), Clare Lawrence (Executive Director - Place), Eric Owens (Service Director - Development & Regulation), April Peberdy (Interim Service Director - Communities and Wellbeing) and Felicity Harrison (Culture and Libraries Manager), Councillor Carolyne Culver, Councillor Thomas Marino (Executive Portfolio: Internal Governance and Strategic Partnerships), Councillor Howard Woollaston (Executive Portfolio: Housing, Leisure and Culture), Katharine Makant and Gordon Oliver (Democratic Services)

**Apologies for inability to attend the meeting:** Councillor Jeff Brooks, Councillor Graham Pask and Councillor Lynne Doherty

**Councillor(s) Absent:**

### **PART I**

#### **43. Minutes**

The Minutes of the meeting held on 29 November 2022 were approved as a true and correct record and signed by the Chairman.

#### **44. Actions from previous Minutes**

Members noted the updates on actions from the previous Minutes.

It was noted that updates were still awaited for actions 67, 70 and 75.

The inclusion of the agency spend tables in the quarterly revenue reports was welcomed (Action 81).

Progress on Action 79 was noted and further information was sought.

**Action: Economic Development Team to provide a list of the top employers in the district for the next Scrutiny Commission meeting.**

#### **45. Declarations of Interest**

There were no declarations of interest received.

#### **46. Petitions**

There were no petitions to be received at the meeting.

#### **47. Thames Valley Berkshire Local Enterprise Partnership Review**

Katharine Makant (Economy Manager) presented a report concerning the Thames Valley Berkshire Local Enterprise Partnership (Agenda Item 6).

It was noted that Alison Webster (Chief Executive of the Local Enterprise Partnership (LEP)) was unable to make the meeting, but had provided additional information, which would be circulated.

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### **Action: Circulate additional information to OSMC Members after the meeting.**

The following points were raised in the debate:

- Members noted that the LEP was still doing useful work and asked about its future. It was explained that options were being considered, but discussions were still at the early stages – these would take account of the Government's views about the future role for LEPs.
- It was highlighted that an OSMC Member who had been a substitute on the Local Transport Board for four years, but had not received meeting papers and had not been given the opportunity to attend meetings.
- It was suggested that there was still a need for work to take place at a county level.
- Members asked about how successful the LEP had been in leveraging private sector investment. Officers did not have the figures to hand, but offered to provide these after the meeting. It was suggested that most of the funding had been from public sources.
- It was noted that there were references to European funding in the report – officers confirmed that these related to legacy expenditure, and there would be no new projects supported by EU funding.
- Officers were asked about future funding devolution and the return to individual local authorities submitting competitive bids. Officers indicated that they would do their best for the Council in whatever system was in place. While a bid to the Levelling Up Fund had failed, a bid to the Shared Prosperity Fund had been successful.
- It was noted that the LEP had been effective at lobbying on behalf of the Berkshire local authorities and this was more efficient than individual local authorities working alone. Members asked for details of costs incurred. It was explained that requests would have to be made to other local authorities to give an accurate picture, but officers were in no doubt that the LEP model was more efficient.
- A question was asked about inward investment secured through the Berkshire Prospectus. It was confirmed that there had been no direct approaches as a result of the prospectus, but projects had also been promoted by the individual local authorities. The Newbury Masterplan was underway and funding had been secured for the Newbury Active Travel Scheme. Shared Prosperity funding had also been secured to work up an investment strategy for Whole Estate Plans.
- Members noted that the LEP was not politically proportional, and it was suggested that all Members should have had an opportunity to comment on the future of the LEP at an earlier stage. Officers highlighted that the letter from the Minister had indicated that LEPs would be expected to work more closely with local authorities than they had in the past. The LEP had been set up in such a way that the majority of seats were given to businesses, but this was expected to change in future. Members suggested that the current model did not seem to be working effectively.
- It was suggested that Members would welcome the ability to access meeting papers and to know more about the LEP and its operations.
- Members queried why it was difficult to assess the impacts of the Berkshire Opportunities project. This was because employment / training opportunities were open to all, so it was difficult to work out how many West Berkshire residents had benefited, but officers offered to go back to the LEP for more information.

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- A question was asked about funding for Hungerford Town Centre. Officers confirmed that strategies were being developed for Hungerford and Thatcham Town Centre Strategies. Once these were agreed, the Council would be able to start bidding for funding for projects.
- It was suggested that there should be Member development sessions on the LEP to raise awareness and seek input.
- Members asked why Career Hubs were not provided at all West Berkshire secondary schools. It was suggested that this may be because some schools had chosen not to be part of the network, but officers offered to find out more from colleagues in Education.

*(During the course of the debate, Councillor Biyi Oloko declared a personal interest in Agenda item 6 by virtue of the fact that he had been involved with a start-up accelerator that had been in contact with the LEP. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).*

- Members asked about the key performance indicators (KPIs) that had been set for the LEP. Officers were not aware of KPIs, but highlighted that the returns on investment were far greater than the Council's £10,000 annual contribution. Members suggested that this should be considered in future.
- There was some discussion about how decisions were made and the efficiency of the process of allocating funds. It was suggested that there should be more coordinated push-back against proposed changes.
- It was noted that the LEP was a powerful lobbying organisation, but it could not compete with larger, regional development agencies. Members suggested that there was a need to continue to ensure alignment with other organisations such as Chambers of Commerce and the Federation of Small Businesses. Officers explained that future plans for the LEPs had not been confirmed by the Government. LEPs were still being funded, albeit at around 50% of previous levels, but they were in flux and waiting for further announcements.
- It was noted that some areas (e.g. Buckinghamshire Council) had set up Growth / Prosperity Boards. These allowed for more democratic decision-making and for larger businesses to be involved.
- There had been meetings of local authority Chief Executives and Place Directors to look at future ways of working. It was expected that there would be more announcements from the Government later this year.
- A key risk for the Berkshire local authorities was that they may need to expand their Economic Development Teams to replicate the LEP's functions.
- Members suggested that officers should be stronger in lobbying for the changes they wanted to see.
- It was suggested that Members would welcome anything that made for more democratic decision making at a local level.

### **Actions:**

- **Officers to provide an indication of the level of private sector investment that had been secured by the LEP.**
- **Officers to identify what information could be provided for the Berkshire Opportunities service (e.g. number of web page hits from users in West Berkshire).**

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- **Officers to confirm why some schools did not have Career Hubs.**
- **Officers to consider what KPIs would be appropriate for the LEP.**

### **48. Customer Journey Task and Finish Group - Final Report**

Councillor James Cole presented the Customer Journey Task and Finish Group report (Agenda Item 7).

The following points were raised in the debate:

- Members raised an issue with customers being able to find the Council's main telephone number on the website and pointed out that some people still needed to use the phone or needed an urgent response. It was noted that it was easier to find the Council's number through a Google search than on the Council's own website.
- The Task Group was commended for its report and Members asked where it would go next. It was confirmed that the report would go to Executive. The report contained 42 recommendations, of which 14 were a high priority.
- Members suggested that there was an ongoing need to consider the customer journey. Although it would be up to the administration to set up the appropriate groups to coordinate this, the Scrutiny Commission could look at this again in future to see what had changed.
- Councillor James Cole was praised for his role in chairing the Task and Finish Group and the other Members were thanked for their contributions.
- Members stressed that recommendations given a medium priority ranking should not be forgotten. It was suggested that quick wins should be identified for early implementation to give confidence that changes were being made.
- It was suggested that any new IT systems should be subjected to extensive beta testing before going live.
- Officers highlighted that the customer journey was never perfect. Although the Council generally provided good service, there were pockets of poor performance that needed to be addressed, but significant steps had been made in the right direction:
  - The Customer Charter had been approved.
  - A Planning Customer Charter would be going to Planning Advisory Group for consideration.
  - Training would be provided for officers on customer care.
  - The website was constantly being updated and improved.
  - It was recognised that some services needed to be transformed in order to improve efficiency – a report to Full Council would set out how resources would be provided to facilitate that.
- It was confirmed that an action plan would be developed on the back of the report's recommendations.
- It was noted that the terms of reference were very wide and Members were reminded of some of the reasons for this. In particular, the Task Group had been asked to consider emerging issues affecting the Out of Hours service. An interim report had been presented to OSMC, which had focused on that aspect. The remainder of the terms of reference related to office hours services.

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- Members were pleased that a customer charter had been adopted, since this helped to secure employee buy-in to improvements.
- It was highlighted that certain officers had complained about the depth of the analysis undertaken by the Task Group, but Members considered that this was the role of scrutiny.
- Following the May 2023 election, the new administration would be asked to consider and implement the recommendations. It was suggested that OSMC should review progress after March 2024.
- Members acknowledged that the Council's performance was good compared to other local authorities, but stressed that there was still room for improvement.
- It was noted that the report had highlighted issues with the Task and Finish Group achieving a quorum with just four Members. However, increasing the size of Task and Finish Groups to six members would be unworkable if two reviews were undertaken in parallel.

### **RESOLVED** to:

- a) refer the Customer Journey Task and Finish Group's recommendations to Executive for consideration; and
- b) agree that the Overview and Scrutiny Management Commission keeps the issue of the Customer Journey under review, with reference to the work of the Customer First Programme Board (or its successor), and invites annual updates on progress in implementing the report's recommendations.

## **49. Libraries Review**

Felicity Harrison (Acting Culture and Libraries Manager) presented the report on the Libraries Review (Agenda Item 8).

Councillor Howard Woollaston was invited to comment as Executive Portfolio Holder for Housing, Leisure and Culture. He acknowledged the work of the Culture and Libraries Manager and thanked the volunteers who worked in the libraries. He stressed that the Council was committed to maintaining and expanding the libraries service, but acknowledged that there were funding issues and the challenging financial environment. The Peer Review had been very supportive. A gap in the north of the district needed to be addressed, and there was a commitment of £1.2 million in the budget to replace Thatcham Library, which was too small and in the wrong location. The mobile library was at the end of its useful life and the aspiration was to replace this with an electric vehicle.

The following points were raised in the debate:

- Usage trends were queried, since the number of visits had decreased, but the number of items borrowed had been stable and the number of website visits had increased. Officers confirmed that library loans were up 19% compared to pre-pandemic levels, but visitor numbers were still below pre-pandemic levels. New members were also up by 19%. A key factor was that online usage had increased during the pandemic and had remained high. Visitor numbers were still slowly recovering.
- Members asked if people were spending more time in the libraries due to the rising cost of living. It was confirmed that the libraries had been designated as warm hubs and post-Christmas messaging had focused on how the libraries were warm and welcoming and provided a free service. The service was also trying to link with community cafés across the district, such as the one at Speen.

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- A question was asked about how the funding shortfall from town / parish councils would be addressed. It was confirmed that the budget shortfall was £150,000. Initially, town / parish councils had contributed around £90,000, but that had reduced over time. Some were contributing more than the suggested £1 per head of population. It was suggested that further liaison was needed to understand what town / parish councils wanted from the service. It was noted that the level of service was currently the same regardless of whether or not local contributions were made, but this may not be sustainable in future.
- It was suggested that parish councils didn't have funds to spare. From a user's perspective, it didn't matter where the funds came from and there would be a precept levied from one or other party to cover the costs.
- It was suggested that West Berkshire Council had a legal responsibility to provide a libraries service, but this was only to provide a central library. Providing more than the minimum service required additional funds and volunteers.  
*[Post meeting note: Under the Public Libraries and Museums Act 1964 – Local authorities have a statutory duty “to provide a comprehensive and efficient library service for all persons desiring to make use of the library service”. The Act doesn't specify how this should be done.]*
- Members highlighted the use of old data in the report. It was explained that the data was current when the report had originally been written.
- A question was asked about whether the Libraries Service derived any income from new uses such as community cafés. It was confirmed that there was no additional income, but the service benefited from additional customers coming into the libraries.
- Member asked about the differences between 'priorities', 'review recommendations' and 'opportunities for future investment', and it was suggested that these should be aligned. Also, it was suggested that these should have timelines.
- Members asked about the granularity of user data and whether this could be used to predict how the service would change in future. It was confirmed that more people were using e-library functions. Also, usage of the physical buildings was changing, e.g. using Wi-Fi, using computers, attending craft and chat groups, attending rhyme time sessions, etc.
- A question was asked about staff training and whether staff had the skills to facilitate to help users to make the most of the services available. It was confirmed that staff were constantly being upskilled, but some individuals found the technical side more challenging. However, the service had a Digital Services Officer and specialist IT volunteers to support customers. It was highlighted that customers sometimes asked for help with using their own IT equipment. Also, extensive training had been provided for staff on the new libraries app.
- Members asked if there was scope to change mobile libraries stops to tie in with other regular local events. It was confirmed that stops were constantly being monitored and reviewed. For example the Speen stop had moved from a sheltered housing site to a community café. Use of the mobile libraries service was declining and alternatives were being considered, such as through the at-home service, or pop-up libraries in village halls.
- It was highlighted that the Hungerford Library had been taken on by a local charity and Members asked if there was scope to use this model elsewhere. Officers agreed that the model worked well and was a win-win situation and they were looking at introducing it in other parts of the district.
- It was noted that the charity had been billed for business rates when they had started to sell items from a spare room at the library. Officers confirmed that this issue had been resolved.

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- Members asked whether there would be an issue with borrowers not returning books if fines were abolished and whether a points system would be needed for persistent offenders. Officers confirmed that library fines were a known barrier to library usage. Around 40 local authorities had abolished them already and there had been no issue with people failing to return books.
- It was suggested that data should be up to date and that decisions should not be made on data from abnormal conditions, such as the Covid pandemic or the current cost of living situation.
- Members queried whether the financial summary was showing that cuts were proposed. It was confirmed that the figures related to reduced running costs and that no cuts were proposed.
- It was suggested that before the report went to the Executive, the Library Review's recommendations should be developed into a draft vision / charter. It was noted that aspirations would be constrained by finances, so the next step after preparing a strategy would be to agree a budget for implementation. Members also suggested that the data in the report should be updated.

### **Actions:**

- **Consult with town / parish councils to understand what they wanted from the service**
- **Ensure that 'priorities', 'review recommendations' and 'opportunities for future investment are aligned and that targets are set.**
- **Libraries report to be updated before submitting it to the Executive.**

## **50. Fees and Charges Task and Finish Group - Final Report**

Councillor Tony Linden presented the Fees and Charges Task and Finish Group report (Agenda Item 9).

The following points were raised in the debate:

- The Task Group felt that it was important to consider Shaw House as part of a future scrutiny review to explore opportunities to maximise revenue, but also the social value delivered. It was noted that citizenship ceremonies were held there and the venue was well-liked.
- There was discussion about payment for parking. It was suggested that contactless payment should be prioritised over apps that charged additional fees. It was recognised that while cash was still important for some people, most people had a smart phone and cash collections cost money. Most local authorities were working towards cashless operations.
- In relation to Leisure services, it was noted that the Council was about to appoint a new contractor for a term of 10 years, with the option to extend this by another 5 years. Officers indicated that local authorities were moving away from controlling charges for individual services, with more freedom given to operators. It was noted that operators were mostly charitable trusts, which could not operate at a loss. Members indicated that the Council may still wish to subsidise some services.
- Members felt that the report's recommendations were good guidance. In particular, the recommendations for additional information to be provided in the budget papers was welcomed.

**RESOLVED** to refer the Fees and Charges Task and Finish Group's recommendations to Executive for consideration.

**51. Covid and Recovery Task and Finish Group - Draft Terms of Reference**

Gordon Oliver (Principal Policy Officer) presented the draft Terms of Reference for the Covid and Recovery Task and Finish Group (Agenda Item 10).

It was noted that the review would be undertaken following the May elections, and the membership of the Task Group would be decided later.

It was noted that OSMC had received a report on Covid and recovery back in October 2021, but Members had felt that there had not been a sufficiently qualitative flavour to the report and had asked for a task group to be set up to look at the impacts on residents, businesses and service users. The draft terms of reference took these points into account.

It was highlighted that the review had been pushed back by delays to the preceding reviews. As a result, the review would take place some considerable time after the Covid response had concluded. Also, some of the key officers who had been involved in coordinating the response had since left the Council. This would make it more challenging to dig into the details. In addition, the national Covid inquiry was underway and West Berkshire Council was providing evidence to that.

Points highlighted in the debate included:

- Members recognised that some officers had moved on, but felt that the Task Group should work with the information available. It was suggested that ex-officers / Members could be invited to give evidence, but they could not be compelled to do so.
- It was suggested that residents and town / parish council should be invited to take part and should be added to the list of witnesses, although it was recognised that this would add to the complexity of the review.
- Members recognised that it was easy to pick holes in what happened after the event, but it was important to recognise the urgency of the response.
- It was suggested that the review should make reference to the national survey and the mixed-messages that came from central government.
- Members highlighted that while the national review would seek to apportion blame, this should not be the focus of the local review, which should look at improving understanding and identifying what could be done differently in future.
- It was agreed that the Task Group should be time limited and the review should be completed within six months and that the review should not consider the national response.
- Members stressed the importance of talking to residents, businesses and service users, as well as representative bodies and relevant charities and community groups. Suggested witnesses included; Chris Boulton from Greenham Trust, Garry Poulson from the Volunteer Centre, and James Wilcox from the Fair Close Centre.
- It was suggested that involving town / parish council would help to identify voluntary groups that had been involved in the response.
- Members asked that the desired outcomes be tightened by asking for recommendations rather than findings.

**Actions:**

- **Add residents and town / parish councils to the list of witnesses.**
- **Set a time limit of six months for the review.**
- **Amend the terms of reference to exclude the national response.**



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- **Add Greenham Trust, Volunteer Centre West Berkshire and Fair Close Centre to the list of organisations invited to give evidence.**
- **Replaced 'findings' with 'recommendations' in the desired outcomes for the review.**

### 52. **Revenue Financial Performance Report Quarter Three 2022/23**

Joseph Holmes (Executive Director – Resources) presented the Revenue Financial Performance Report for Quarter Three 2022/23 (Agenda Item 11).

The following points were raised in the debate:

- Members expressed disappointment that the report had not come to OSMC before it had gone to Executive. However, it was noted that there were just 31 days between the end of the quarter and the Executive meeting. The budget meeting would have to be pushed back in order to allow OSMC to comment on the draft report.
- A point was made in relation to the graph on page 298 of the agenda papers (Adult Social Care – Annualised Client Numbers for Long Term Services), which was difficult to interpret, although it was accepted that there was some explanation in the text. Officers agreed to try and improve / simplify the graph.
- Also, clarification was sought regarding differences between modelled and actual social care expenditure. It was noted that a previous scrutiny review had found that there could be marked differences as a result of a small number of new service users with high care needs. Officers observed that client numbers had recovered to pre-Covid levels. It was suggested that a subsequent scrutiny review of the modelling may be appropriate.
- The inclusion of the table on agency staff expenditure was welcomed, but Members felt that the level of spend was too high. It was suggested that agency spend could be a possible topic for a future scrutiny review.

**Action: Officers to review the graph for Adult Social Care – Annualised Client Numbers for Long Term Services.**

### 53. **Capital Financial Performance Report Quarter Three 2022/23**

Joseph Holmes (Executive Director – Resources) presented the Capital Financial Performance Report for Quarter Three 2022/23 (Agenda Item 12).

Members had no comments on this report.

**RESOLVED** to note the report.

### 54. **Health Scrutiny Committee Update**

OSMC received a verbal update from Councillor Tony Linden on the work of the Health Scrutiny Committee (Agenda Item 13).

In December, the Health Scrutiny Committee met to review stammer services at Berkshire Healthcare NHS Foundation Trust, and dentistry services. There were also updates from the Integrated Care Board (ICB) and Healthwatch West Berkshire.

Items for the next Health Scrutiny Committee meeting on 14 March 2023 included:

- Pharmacy provision
- An update on the Royal Berkshire Hospital Redevelopment Programme and
- An update from South Central Ambulance Service on their improvement programme and current performance.

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The Buckinghamshire, Oxfordshire and Berkshire West Joint Health Overview and Scrutiny Committee (JHOSC) met on 25 January at Buckinghamshire County Council. The BOB Integrated Care Partnership Strategy was discussed. There has been follow up feedback from the JHOSC to the ICP on the Strategy.

There had been ongoing work with two task groups:

- The Continuing Healthcare (CHC) task group, chaired by Councillor Alan Macro, had met to discuss the transformation programme and activities following the Peer Review of CHC in July 2022. Since the transformation programme would be very thorough and in depth, it has been agreed to discontinue the task group and for CHC to be a substantial item on the work programme for the next municipal year when the Committee could review the progress made by the transformation programme.
- The second task group was looking at Healthcare Provisions in New Developments. The work programme had been agreed and the first main item the task group would look at was the protocol between West Berkshire Council and Healthcare providers.

### 55. **West Berkshire Council Forward Plan January to April 2023**

The Commission considered the West Berkshire Forward Plan (Agenda Item 14) for the period covering January to April 2023.

It was noted that the Forward Plan was limited in scope as the administration was approaching the end of its four year term.

It was highlighted the Forward Plan still referred to Shiraz Sheikh, who had left the Council.

**Action: Officers to update the Forward Plan template.**

Members had no further comments in relation to the Forward Plan.

### 56. **Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme for the 2023/24 municipal year. Although items were proposed for the June meeting, the broader work programme would be left to the new Scrutiny Commission to agree post-May.

In closing the meeting, the Chairman made the following observations:

- He had been Chairman for five years.
- The role included aspects of gamekeeper and poacher.
- Scrutiny had three core themes:
  - Council effectiveness
  - Partnership effectiveness
  - Policy effectiveness
- He felt that scrutiny had not been allocated sufficient resources – there used to be two scrutiny officers and this level of staff resource was necessary to be able to run two scrutiny reviews in parallel.
- Some officers had complained that OSMC Members were asking too many questions, but they had the right to do so.
- Call-ins were different to other types of scrutiny and were political in nature – these should be the subject of separate meetings and should be chaired by an independent person to address concerns that the Chairman was not impartial.

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- OSMC needed to have a 12-18 month view of the Executive’s Forward Plan in order to plan their work programme.

Members thanked the Chairman for his service. Support was expressed for the proposal to have an independent chairman for call-ins.

Councillor Tony Linden expressed his thanks for being given the Chairmanship of the Fees and Charges Task Group.

*(The meeting commenced at 6.31 pm and closed at 9.22 pm)*

**CHAIRMAN** .....

**Date of Signature** .....