

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the
Overview and Scrutiny Committee
Held in the Committee Rooms 1 & 2 at 5.30pm
on **Wednesday, 8 November 2023**

PRESENT

Councillors: Thomas Ashby, Hugo Ashton, Julian Cooper, Rachel Crouch, Jane Doughty, Andy Goodwin, Natalie King, Nick Leverton, Andrew Lyon, Charlie Maynard, Michele Mead, David Melvin, Mathew Parkinson, Sandra Simpson, Ruth Smith, Harry St John, Alistair Wray, Liam Walker, Mark Walker, Alex Wilson and Dan Levy

Officers: Madhu Richards (Chief Finance Director), Jon Dearing (Assistant Director for Resident Services), Phil Martin (Assistant Director for Business Support), Bill Oddy (Assistant Director for Commercial Development), Andrew Brown (Business Manager Democratic Services), Georgina Dyer (Chief Accountant), (Max Thompson (Senior Democratic Services Officer), and Michelle Ouzman (Strategic Support Officer).

Other Councillors in attendance: Alaric Smith, the Executive Member for Finance.

I Election of Chair

Andrew Brown, the Democratic Services Business Manager opened the meeting, welcoming Members and Officers to the Overview and Scrutiny Committee meeting.

The Business Manager referred Members to the first item on the Agenda, Election of Chair, and asked the Committee for nominations to the position of Chair of the Overview and Scrutiny Committee for the municipal year 2023/24.

Councillor Alex Wilson proposed that Councillor Andrew Beaney be appointed to the position of Chair of the Overview and Scrutiny Committee for the municipal year 2023/24. This was seconded by Councillor Julian Cooper, was put to a vote, and was carried.

The Committee **Resolved** to:

- I. Appoint Councillor Andrew Beaney to the position of Chair of Overview and Scrutiny Committee for the municipal year 2023/24.

2 Election of Vice-Chair

Councillor Andrew Beaney thanked the Committee for the appointment of Chair and welcomed everyone to the meeting.

The Chair asked for a nomination for the position of Vice-Chair of the Overview and Scrutiny Committee.

Councillor Julian Cooper proposed that Councillor Rizvana Poole be appointed to the position of Vice-Chair of the Overview and Scrutiny Committee for the municipal year 2023/24. This was seconded by Councillor Alex Wilson, was put to a vote and was carried.

The Committee **Resolved** to:

- I. Appoint Councillor Rizvana Poole to the position of Vice-Chair of Overview and Scrutiny Committee for the municipal year 2023/24.

17:37 Councillor Rizvana Poole arrived at the meeting at this point, thanked the Committee for the appointment of Vice-Chair to the Overview and Scrutiny Committee.

3 **Apologies for Absence and Temporary Appointments**

Apologies for absence were received from Councillors Phil Godfrey and David Cooper.

Councillor Dan Levy substituted for Councillor Phil Godfrey.

The Chair welcomed Councillor Levy to the Committee.

4 **Declarations of Interest**

Bill Oddy, the Assistant Director for Commercial Development declared an interest on Agenda item 9, recommendation 3, and suggested he left the room at that point in the meeting.

Andrew Brown, the Business Manager for Democratic Services clarified that it would not be necessary to leave the room as the Committee would only be considering holding a meeting to scrutinise the Publica Review; the Publica Review would not be subject to any decision at this meeting.

5 **Minutes of Previous Meetings of Overview and Scrutiny Committees**

The Chair asked members for a proposer and seconder to approve the minutes of the previous Scrutiny Committees, and asked for those only present at each of the meetings to propose and second the approval of said minutes.

Councillor Natalie King proposed to approve the minutes of the Climate and Environment Overview and Scrutiny Committee held on 3 July 2023, this was seconded by Councillor Mark Walker, was put to a vote and was carried.

The minutes were signed by the Chair as a correct record.

The Committee **Resolved** to:

- I. Approve the minutes of the Climate and Environment Overview and Scrutiny Committee held on 3 July 2023.

Councillor Michele Mead proposed to approve the minutes of the Finance and Management Overview and Scrutiny Committee held on 6 September 2023, this was seconded by Councillor Jane Doughty, was put to a vote and was carried.

The minutes were signed by the Chair as a correct record.

The Committee **Resolved** to:

- I. Approve the minutes of the Finance and Management Overview and Scrutiny Committee held on 6 September 2023.

Councillor Nick Leverton proposed to approve the minutes of the Economic and Social Overview and Scrutiny Committee held on 4 October 2023, this was seconded by Councillor Alex Wilson, was put to a vote and was carried.

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The minutes were signed by the Chair as a correct record.

The Committee **Resolved** to:

- I. Approve the minutes of the Economic and Social Overview and Scrutiny Committee held on 4 October 2023.

6 Participation of the Public

There was no participation of the public.

7 Treasury Management Mid-Term Report

Councillor Alaric Smith, the Executive Member for Finance introduced the Treasury Management Mid-Term Report, which provided the Members with an update on the Treasury Management Activity, the performance of internal and external funds and prudential indicators for the first half of the financial year.

The Executive Member for Finance handed over to Georgina Dyer, the Chief Accountant, who introduced the detailed report that the Council is required to report on and asked the Committee if they had any questions.

Councillors had many points of clarification on the report:

- The loans CFR line on the table at 8.2 on page 32 showed the extent of the Council's internal borrowing; there was currently no external borrowing.
- S106 funds would be used to finance internal borrowing to fund the capital programme (S106 funding is ring fenced – so only specific projects), along with any other funds the Council had,
- The net income increases shown on page 35 reflected the impact of Marriotts although the investment property portfolio was quite dynamic.
- The small treasury team was shared across the Publica partnership and had recently been bolstered.
- The capital value of the Council's externally managed pooled funds (page 29) should improve as interest rates decline. Arlingclose provided regular advice to the Council. When the statutory override ends, the Council would have to account for unrealised gains and losses.

The Chief Accountant explained to the Committee that they used a CIPFA standard report template, hence why the report had been laid out in the way it had.

Councillor Alex Wilson was concerned that unless you were a finance expert how could the committee effectively scrutinise the report, as to present only points of clarity had been discussed.

Andrew Brown the Business Manager for Democratic Services confirmed that the Constitution stipulated that the report must come to Overview and Scrutiny and Audit and Governance. The Chief Accountant added that it was also a legislative requirement to produce quarterly reports to Members.

In response to a question from Councillor Liam Walker, the Chief Finance Accountant confirmed that Arlingclose do benchmark and that West Oxfordshire District Council (WODC) were doing well against similar Council sizes, and no major red flags at the moment.

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Councillor Alex Wilson through the Chair proposed that the Committee refer to the Constitution Working Group the constitutional position on where treasury performance reports are considered, with a recommendation that this is a responsibility of the Audit and Governance Committee and not the Overview and Scrutiny Committee. This was seconded by Councillor Thomas Ashby, was put to a vote and was carried.

The Committee **Resolved** to:

- I. The Committee referred to the Constitution Working Group the constitutional position on where treasury performance reports are presented, with a recommendation that this is a responsibility of the Audit and Governance Committee and not the Overview and Scrutiny Committee.

8 Q2 Finance Report - Nov 23

Councillor Alaric Smith, the Executive Member for Finance, introduced the Quarter Two Finance Report, which included a forecast outturn position for the first time.

The Director of Finance introduced herself and explained that she had only been in post for just over three weeks. The forecast allowed the Council to review progress against the budget that was set earlier in the year, and that as a forecast it probably will change. The main areas of overspend were in:

- Waste;
- Leisure;
- Investment Properties.

These three areas will be a focus of work during the 2024/25 budget setting process.

The Director of Finance then asked if the Committee had any questions on the report.

Councillors asked about the following points within the report:

Point 1.1 recycling cost impact.

Bill Oddy the Assistant Director for Commercial Development confirmed it was a national problem where the cost of processing the recycling had increased, and the public was recycling more. The Council's contracts and neighbouring districts' contracts were up for renewal, so the option of jointly procuring contracts would be explored.

WODC had increased waste charges this year by £5, but this had not affected the number of licences, they remained broadly the same. After a benchmarking exercise the Council's fees were found to be lower than average, and the second lowest across Oxfordshire and Gloucestershire.

Point 1.7 GLL payment and future payments.

Recent meetings with GLL had taken place and a number of positive avenues were being explored

Point 1.9 Appeal external legal fees.

Jon Dearing, the Assistant Director for Resident Services, confirmed that appeal legal fees were significant, and that it was dependant on the planning appeals outcomes. Councillor Alaric Smith informed the Committee that at a recent informal Executive meeting Phil Shaw,

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the Business Manager for Development & Sustainability had attended, and informed the Executive that they were considering a Development Control briefing, that would explain the impact of appeal fees to the members of the planning committees.

The Director of Finance added that there is a Legal Services review going ahead too, as due to resource issues in Legal Services, external Legal Services that were procured also had added to the costs.

Point I.11 Pensions budget, could this be afforded.

The Chief Accountant confirmed that the report was written in advance of the Publica Review. Therefore once the output of the Publica Review was known, these figures would be reviewed. The report to the end of quarter two reflected the secondary (i.e. historic liability) contributions that were made in regards to the Local Pensions Government Scheme. However, the budget was set before the actual levels of secondary contributions were known. A re-evaluation would occur in January. Any outputs from the Publica Review would be built into the 2024/25 budget but the timescales were tight as the Publica Review and Budget setting would all occur at a similar time.

Point I.14 Council Tax and Business Rates income versus arrears.

The Assistant Director for Resident Services explained that a discretionary Council Tax Support Scheme was in place to assist residents who were struggling financially. The Revenues Team were also meeting with a charity next week that works with residents with checking if they were entitled to any benefits that they may not be claiming.

Councillor Levy added that the Council Tax Support Scheme was more generous than in previous years.

Councillors queried Annex B and why there was so little capital expenditure against the budgeted amount..

The Chief Accountant explained that the capital programme showed where provision had been made for schemes but that actual expenditure would be subject to an approved business case. There was nothing in the pipeline for the Investment Recovery Strategy, for which there was £5,000,000 available, due to the impact of high interest rates. Some capital projects had timing issues, some had begun but were not completed as yet. Sometimes there was slippage at year end, which is not unusual.

Councillors noted concern that expected expenditure had not occurred.

The Chief Accountant confirmed that the situation was not ideal, however situations change throughout the year and timings sometimes change. Each capital project would need to be individually approved via Executive during the year, and therefore expenditure budgeted may not be spent as expected if timings slip. Some items that were ordered last year had not been delivered as yet, therefore sometimes it was beyond the control of the Council.

The Executive Member for Finance used the Chipping Norton roof replacement as an example, this had now changed to a repair. A capital budget may not always be spent, depending how circumstances changed during the year, some projects may not end up going ahead.

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The Chair noted that the project for the Chipping Norton Leisure Centre roof would be underspent now that the roof was being repaired rather than replaced. However, it was not just the roof that was the issue, the ceiling was in disrepair. Councillor Rizvana Poole added that the flooring, the gym and the health implications for the staff needed looking at.

The Chair Councillor Andrew Beaney proposed to recommend to the Executive that the Council draws up proposals for a full refurbishment of Chipping Norton Leisure Centre utilising the underspent capital allocation for roof replacement to address the issues caused by water damage over a number of years. This was seconded by the Vice-Chair, Councillor Rizvana Poole, put to a vote and was carried.

The Committee **Resolved** to recommend to the Executive:

- I. That the Council draws up proposals for a full refurbishment of Chipping Norton Leisure Centre, utilising the underspent capital allocation for roof replacement, to improve the centre and address the issues caused by water damage over a number of years. This project should include, for example, replacing flooring and carpeting, repainting walls and replacing gym equipment.

Councillors enquired about the contract management line in the table on Page 46.

The Chief Accountant explained that this related to GLL income, the full contract income for the year was budgeted, an income contingency was added as at the point of setting the budget the Council was uncertain as to how much contractual income would be achievable in the year.

Councillors were concerned that if GLL read the reports they would see the contingency and use this information. The Chief Accountant confirmed that budget documents were public documents. The contingency represented prudent financial management.

Councillors queried whether GLL would be asked to fully meet their contractual commitments.

The Chief Accountant confirmed that they were already in negotiations with GLL and as soon as they had something to report they would bring that back to the Committee.

Councillor Thomas Ashby enquired about monies to be transferred to Witney Town Council. The Chief Accountant explained that no request for payment had been received as yet.

The Assistant Director for Commercial Development confirmed that monthly meetings took place with Witney Town Council and that he would take an action to officers to ask for this to be progressed.

The Chair thanked the Director of Finance and Chief Accountant for their contribution to the Committee.

Councillor Mathew Parkinson left the meeting during this item at 18:54.

9

Committee Work Programme

Andrew Brown the Democratic Services Business Manager introduced the Initial Committee Work Programme.

The Business Manager explained the role of the Committee was to scrutinise the decisions and actions of the Executive and other issues that affect the district that Members wish to prioritise for scrutiny.

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The initial work programme included items that were either legacy from past scrutiny work plans, a legislative requirement such as the focus on crime and disorder, and selected Executive decisions. This Committee would meet each month the week before a meeting of the Executive.

Councillor Cooper asked why the Overview and Scrutiny Committee would be looking at Executive reports and, should the Committee be focusing on policy development.

The Business Manager agreed that an important function of the Committee was to contribute to early-stage policy development.

The Committee was asked to consider the following recommendations:

Recommendation 1:

Agree that when considering the Executive Forward Plan the Committee will agree a priority order of reports for pre-decision scrutiny at the next meeting.

Councillor Michelle Mead proposed that when considering the Executive Forward Plan the Committee will agree a priority order of reports for pre-decision scrutiny at the next meeting. This was seconded by Councillor Alex Wilson, was put to a vote and was carried.

The Committee **Resolved** to:

I. Agree that when considering the Executive Forward Plan the Committee will agree a priority order of reports for pre-decision scrutiny at the next meeting.

Recommendation 2:

Agree to use the 10 January 2024 meeting as a “Spotlight” session to scrutinise the Draft Budget 2024/25.

The Business Manager clarified that the term “Spotlight” referred to a standalone meeting to scrutinise larger items that needed more time than a normal agenda item.

Councillors discussed the recommended date of 10 January and if it would be possible to use the 6 December scheduled Overview and Scrutiny Committee date.

The Chief Finance Officer explained that the full budget settlement figures would not be known by the time of the December meeting

Councillor Julian Cooper proposed to agree to use the 10 January 2024 meeting as a “Spotlight” session to scrutinise the Draft Budget 2024/25. This was seconded by Councillor Ruth Smith, was put to a vote and was carried.

The Committee **Resolved** to:

I. Agree to use the 10 January 2024 meeting as a “Spotlight” session to scrutinise the Draft Budget 2024/25.

Recommendation 3:

Agree to schedule an additional “spotlight” meeting on a date to be agreed by the Director of Governance, in consultation with the Chair of the Overview and Scrutiny Committee, to scrutinise the Publica Review.

The Business Manager explained to the Committee that the Publica Review item warranted a “spotlight” meeting. There was no proposed date as yet and the recommendation was to seek delegation to agree a meeting date.

The Chair stated that as the Publica Review involved other Councils too, he was concerned that this meeting needed to be set soon, so that decisions were not made by the other Councils long before the Committee had sight of the Review themselves.

Councillors discussed items due to come to the February Committee meeting and asked if that meeting could be used.

The Business Manager confirmed that items due in February had already been pushed back and that the Executive controlled the timing of those items.

Councillors were also concerned about the heavy workload for the Committee especially with using two “Spotlight” Committees in succession.

The Business Manager agreed, and explained that another approach in future would be to use task and finish groups, rather than schedule additional meetings (which these items warranted).

Councillor Alex Wilson proposed to agree to schedule an additional “spotlight” meeting on a date to be agreed by the Director of Governance, in consultation with the Chair of the Overview and Scrutiny Committee, to scrutinise the Publica Review. This was seconded by Councillor Liam Walker, was put to a vote and was carried.

The Committee **Resolved** to:

- I. Agree to schedule an additional “spotlight” meeting on a date to be agreed by the Director of Governance, in consultation with the Chair of the Overview and Scrutiny Committee, to scrutinise the Publica Review

Recommendation 4:

Request that all members of Council send any suggestions for items to be included on the work plan to the Chair and Vice Chair of the Overview and Scrutiny Committee and the Democratic Services Business Manager by Friday 24 November.

The Business Manager explained that this was for seeking other suggestions to be added to the Work Programme, which could also include suggestions for task and finish groups or for member briefing sessions.

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The Chair asked for a proposer.

Councillor Liam Walker proposed that all members of Council send any suggestions for items to be included on the work plan to the Chair and Vice Chair of the Overview and Scrutiny Committee and the Democratic Services Business Manager by Friday 24 November. This was seconded by Councillor Mark Walker, was put to a vote and was carried.

The Committee **Resolved** to:

- I. Request that all members of Council send any suggestions for items to be included on the work plan to the Chair and Vice Chair of the Overview and Scrutiny Committee and the Democratic Services Business Manager by Friday 24 November.

Recommendation 5:

Agree that the “long list” of suggested work plan items will be ranked by officers using the TOPIC Scoring Criteria (Annex B) and presented to the Committee on 6 December, in order to inform the Committee’s adoption of a work plan.

The Business Manager confirmed that assuming they receive a healthy list of suggestions from recommendation 4, the TOPIC scoring criteria, found on Page 63 of the agenda, would be applied.

The Chair requested that he wished to agree the priority order with the Vice-Chair, and a nominated Member from each political group from the Committee.

Councillor Thomas Ashby proposed agree that the “long list” of suggested work plan items will be ranked by officers using the TOPIC Scoring Criteria (Annex B) and presented to the Committee on 6 December, in order to inform the Committee’s adoption of a work plan. That priority order would be agreed by the Chair, Vice-Chair, and a nominated Member from each political group from the Committee.

This was seconded by Councillor Michele Mead, was put to a vote and was carried.

The Committee **Resolved** to:

- I. Agree that the “long list” of suggested work plan items will be ranked by officers using the TOPIC Scoring Criteria (Annex B) and presented to the Committee on 6 December, in order to inform the Committee’s adoption of a work plan. That priority order would be agreed by the Chair, Vice-Chair, and a nominated Member from each political group from the Committee.

10 Executive Work Programme

Andrew Brown, the Business Manager for Democratic Services, explained to the Committee that since the agenda had been published the Executive Work Programme had been updated. Hard copies of the updated Executive Work Programme were available on councillors' desks at the meeting.

The Business Manager suggested that this was the opportunity to view the officers' suggested items for the agenda in December from the Executive Plan.

The Chair asked the Committee for any comments.

Councillor Ruth Smith suggested an update from Thames Water would be welcome, the Chair was able to confirm that a briefing had been organised for the 5 December, which would include an update, and to which all Councillors would be invited to.

The Chair asked the Committee for suggestions and comments on the Executive Work Plan.

Councillor Natalie King suggested a CCTV update, the Business Manager confirmed that CCTV had been scheduled for the new year. Councillor King followed up with a question re the locations of the camera for Carterton. The Business Manager agreed an action to take the question to the Officer concerned and get back to the Councillor with an answer.

Councillor Levy enquired how the Committee would deal with Executive items that were classed as exempt.

The Business Manager clarified that they would be dealt with in the normal way, in closed session.

Councillor Ashby asked whether the items going to the Executive in December would all come to the Committee.

The Chair confirmed that not all items would come to the Committee, only a select few. The Business Manager added that this is where the TOPIC criteria can help the Committee to prioritise.

Councillor Ruth Smith asked if the Employment Policies could come in December. The Business Manager confirmed if the reports were ready, it could be considered.

The Chair concluded the meeting and thanked the officers and members for their input.

The Meeting closed at 7.15pm