

**To:** Council

**Date:** 29 November 2021

**Report of:** Chair of the Scrutiny Committee

**Title of Report:** Scrutiny briefing to Council

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To update Council on the activities of the Scrutiny function
<b>Corporate Priority:</b>	All
<b>Policy Framework:</b>	Council Strategy 2020-24
<b>Recommendation:</b>	That Council resolves to note the update report.

<b>Appendices</b>	
Appendix 1	Table of Cabinet responses to Scrutiny recommendations from the reporting period.

## Introduction

1. Owing to the delivery of the Scrutiny Annual Report for 2020/21 at the last Council meeting, no update was provided from Scrutiny to October Council. As such, this report is relatively lengthy, covering the period from 14 July 2021 to 19 November 2021.

## Scrutiny Committee

2. Since the last Scrutiny update to Council the Scrutiny Committee has met three times, on 08 September, 05 October and 02 November 2021. In addition, Scrutiny's meeting of 14 July was not included in the previous report owing to its proximity to the Council meeting, meaning it too is reported on below:

14 July

3. Two substantive reports were considered at this meeting:

- Oxfordshire Plan Consultation (no recommendations)
  - Electric Vehicle Strategy (four recommendations, one agreed, three not agreed)
4. The Oxfordshire Plan is a document which sets out a vision and planning framework for the County for the period until 2050, but crucially does not stray into determining areas that fall within each district's Local Plan. As the document was being considered by multiple Councils near-simultaneously, scope did not exist for Scrutiny to make recommendation to Cabinet for changes. Instead, valuable discussion was held with Scrutiny able to raise its questions, issues and concerns for awareness by officers and members leading the project for when suitable opportunities to address them might arise. The primary topics considered included traveller sites, green belt access, play spaces, jobs paying sufficiently for people to afford new houses, and the benefits of 'blue spaces'.
  5. The report considered by Scrutiny regarding the Electric Vehicle (EV) Strategy was primarily concerned with the commissioning of an EV Strategy, rather than the strategy itself. Consequently, the Committee raised fairly far-reaching issues concerning how it would wish to see journey numbers reduced, and those journeys made being by electric vehicles, not petrol or diesel. Issues raised by Scrutiny included the degree of commitment by the Council to Connecting Oxford, and seeking that the Council's ethical investment principles were extended to cover different aspects of the EV Strategy. These recommendations were not deemed appropriate by Cabinet, with the latter being suggested as better dealt with under the forthcoming changes to the Council's procurement policy. Scrutiny's recommendation that there should be preparation for the impact of the anticipated success of the EV Strategy on other transport-related strategies, such as the Zero Emissions Zone, was agreed.

08 September

6. Three substantive reports were considered at this meeting:
  - Urban Forest Strategy (three recommendations, two agreed and one in part)
  - Council Tax Reduction Scheme (no recommendations)
  - Tourism Management Review Group Update (report delayed)
7. General support for the Council's aims to extend tree cover within the City through its Urban Forest Strategy was strengthened by confirmation within the report that there is a strong inverse correlation between tree cover and affluence across the City. News that the Council would not be seeking to address this issue unilaterally, and its recognition of the need for a 'right tree, right place' policy was also welcomed. The areas of Scrutiny's recommendations were twofold. Firstly, trying to ensure that there were not unwanted interactions between this policy and other policies, such as the emerging electric vehicle strategy. There was concern that demand for off-street charging points might make gardens liable to be made into driveways. This was accepted in part by Cabinet, who recognised the trade-offs associated with decarbonisation, but also referenced the list of mitigations that would prevent this situation being realised. The other key area for recommendations was concerning the fact that the public have strong views on trees, both positive and negative. As a consequence, it would be necessary to

prioritise consultation to deliver 'the right tree in the right place'. Likewise, when there were issues, elected members were unsure who to approach to get the issue dealt with, so the Council should make available this information to members. Both suggestions were accepted by Cabinet.

8. Recognising that the Council Tax Reduction Scheme report was only a consultation and not settled proposals, a lot of the Committee's focus of discussion was on how the consultation itself was being delivered and how different groups would access it. A number of the consultation questions were also queried for clarity. Overall, however, the Committee was very supportive of the work undertaken by the Revenues and Benefits team, and made no recommendations.
9. Owing to an oversight the Tourism Management Review Group Update report has not been officially responded to by Cabinet and will be reported on at the next Scrutiny update to Council.

05 October

10. Two substantive reports were considered at this meeting:
  - Air Quality Status Report (report delayed)
  - Development of Land at South Oxfordshire Science Village (four recommendations, all agreed)
11. Although the Air Quality Status report was heard in October and the report to Cabinet signed off by the Committee in November, the relevant Cabinet member was not available to make a response at the meeting. It was decided, therefore, to delay submission to Cabinet until December. Consequently, this item will be reported on in the next update to Council.
12. The report concerning the Development of Land at South Oxfordshire Science Village was held in confidential session, meaning many of the details of the discussion are withheld. However, the Committee did make four recommendations which were not commercially sensitive. These recommendations, all agreed by Cabinet stressed the need to advance environmental concerns as far as possible without undermining other project aims, and the need to plan for higher environmental standards, to ensure social value is maximised in the building of the development, and minor amendments over delegation arrangements.

02 November

13. Two substantive reports were considered at this meeting:
  - Anti-social Behaviour Policy (two multi-part recommendations, of which all elements agreed)
  - East Oxford Community Centre (four recommendations, three agreed and one agreed in part)
14. Anti-social behaviour is an issue not recently considered by Scrutiny, but one which has serious impacts for residents who encounter it. The three-yearly refresh of the policy, therefore, was welcomed by the Committee as an opportunity to scrutinise it in detail. In its consideration, the Committee recognised that the proposed policy

and procedure played a balanced, positive and humane role for all residents who had involvement with ASB, whether as victims or perpetrators. Its recommendations focused on amendments to the policy and procedure document, identifying areas where the Council delivers to higher standards than it suggests in the documentation (the removal of racist graffiti within 24 hours being a good example), and identifying possible areas of difficulty or challenge such as invasive evidence gathering; the negative consequences of eviction; and the particular challenges faced by those with complex mental health issues.

15. Divergent and strongly-held views by different stakeholders have required lengthy consultation and negotiation to bring a suitable plan forward for the East Oxford Community Centre. Given the diversity of opinion amongst members of the public the proposals had been of interest to Scrutiny for a long time. The opportunity to explore and share its views were therefore valued. In addition to discussion around stakeholder management, plans for supporting existing users during the development, and how the Council aimed to ensure it would become a community hub when reopened, the main concerns of the Committee were over sustainability and governance. The Committee made two recommendations concerning the first of these, suggesting that the cost-effectiveness of the carbon-reduction measures employed on the community centre should be monitored and evaluated, and that waste materials should be recycled as much as possible. Cabinet agreed with the first, and partially agreed to the second, noting budgetary concerns but agreeing to a recycling plan. The recommendation made concerning governance arose from a recognition of the importance of having a suitable and stable form of governance for the Community Centre, and that a timetable for achieving that would be beneficial. Cabinet agreed to have implemented the Council's preferred governance option within three years of the centre opening. A further recommendation, also agreed by Cabinet concerned adding further risks to the risk register.

### **Housing and Homelessness Panel**

16. The Housing and Homelessness Panel has met three times during the reporting period, on 02 September, 06 October and 04 November.
17. An innovation agreed this year by the Panel is to have one subject considered from a number of different aspects over the course of multiple meetings, in effect similar to a mini Scrutiny Review Group. The topic chosen for consideration is 'Tenant Engagement and Empowerment,' a timely topic owing to significant post-Grenfell changes announced by central government and the merging of some Housing and Communities functions internally. To aid the members in this the Panel has invited the Council's Tenant Ambassadors, who represent tenants across a number of different Council functions, to each meeting. No recommendations to Cabinet are being made at present, but a full report will be written up at the end of the civic year for Cabinet to consider.

02 September

18. Two substantive reports were considered at this meeting:
  - Housing Performance Q1 (one recommendation, agreed by Cabinet)

- Introducing Tenant Engagement (no recommendations)
19. With a new membership for the new civic year the Panel heard the Housing Performance Q1 report largely as an introduction to the breadth of activity the Housing directorate is responsible for. Arising from the discussion was a request for a Housing Performance Dashboard to be presented as a standing item at each Housing and Homelessness Panel meeting. To date this has not been possible, owing to the challenges of getting reliable data following the challenges of the migration to the new QL system. It is hoped, however, that the Panel will be able to get regular updates which are close (if not quite identical) to the ones required to be produced by the Social Housing White Paper. The recommendation which arose, agreed to by Cabinet, focused on resuming good practice which had had to be paused because of lockdown, specifically relating to involving the Lived Experience Advisory Forum in the design of services.
  20. As referenced above, Tenant Engagement and Empowerment is a topic the Panel is looking at over the duration of the year. The first presentation given was by the Tenant Engagement Team, with the Council's Tenant Ambassadors giving details of the different ways in which they contribute to the working of the Council. These include evaluation of tenders, involvement in interviews, the Great Estates project, environmental improvements, and involvement with complaints and the Housing Ombudsman's Residents Panel. As mentioned, recommendations will be agreed later on in the process and a report submitted to Cabinet later on in the civic year.

06 October

21. Two substantive reports were considered at this meeting:
  - Housing and Carbon Reduction (report delayed)
  - Social Housing White Paper Update (no recommendations)
22. Whilst the Housing and Carbon Reduction paper was heard and passed through Scrutiny, it was agreed to delay sending it to Cabinet owing to the absence of the Cabinet member. As a result, this item will be reported back in the next Scrutiny update to Council.
23. The Panel's second Tenant Engagement and Empowerment report provided an update on the wide-ranging changes the government plans to introduce to improve social housing, largely following the Grenfell tragedy. The proposals clearly have a large focus on safety, but putting tenant experience at the centre of housing provision is a thread which runs throughout and will require widespread changes for all social housing providers, including the Council. The Panel were introduced to the details of the government's proposed seven themes, that it is the right of a tenant: to be safe in their homes, to know how their landlord is performing, to have complaints dealt with fairly and promptly, to be treated with respect, to be heard by their landlord, to live in a good quality home and neighbourhood, and to be supported by the landlord into home ownership. The Panel will be revisiting the Council's own actions in response to this later in the year.

04 November

24. Two substantive reports were considered at this meeting:

- Discretionary Housing Payment Policy (1 recommendation, agreed)
  - Empty Homes (yet to be signed off by Scrutiny)
25. Discretionary Housing Payment is a payment made by a local authority to an applicant who is struggling with their housing costs. It is an extremely important benefit because the recipients tend to be individuals with few other options available – single parent families and/or families subjected to the benefits cap. Whilst central government pays a grant to the Council for this benefit, the grant for next year is to be cut by almost a quarter, despite the end of a number of Covid-related financial supports and the cost of living crisis. The Council is permitted to spend more than the government grant, but it must bear the full cost. Last year it did so by approximately £100k. The Panel heard the report, which dealt primarily with the Council's mitigation strategies for the impacts of spending beyond the government grant. It recognised the sensible approach taken in seeking to reduce the financial impact of overspend, and supported the Council's commitment to continue paying to those in need. The one recommendation arose from a lack of clarity at the Panel meeting itself, where it was uncertain whether there would be a line in the HRA budget for next year which specified anticipated overspends on Council tenants. Recognition in the budget was felt to be important as a matter of transparency over spending expected to be in the region of £50k. At Cabinet it was confirmed that the draft budget for 2022/32 does indeed include such a line.
26. The report on Empty Homes is yet to go to Scrutiny for sign-off, meaning it will be reported on in the next update.

### **Finance and Performance Panel**

27. The Finance and Performance Panel convened on two occasions during this period, on 02 August and 06 September 2021

02 August

28. Two substantive reports were considered at this meeting:
- Social Value in Procurement (two recommendations, both agreed)
  - Aareon QL Implementation Update (two recommendations, both agreed)
29. Social Value in Procurement is an issue Scrutiny has shown a lot of interest in recently. The idea being how the Council ensures that social goods accrue not only from what is procured, but also from choosing companies that operate in a way as to cultivate social value when undertaking their work. This ambition is reflected in a weighting given to each company's proposal relating to the level of social value it would deliver through the contract. The Panel heard an update on the activity the Council had taken to move this agenda forward, the key legislative changes and the Council's proposed responses. In a key metric, spending money locally, the Council has outperformed central government's target by almost 100%. The view of the Panel was that to develop this concept further, the Council must work with other partners to develop a shared local approach. This was a recommendation, which was accepted by Cabinet. Building on that, it was also felt that though the Council was clearly a leader amongst councils, councils may not necessarily be the best performers and there may be value in learning about the performance of those from

other sectors. It was recommended and accepted by Cabinet, that the Council should seek benchmarking data from a wider pool of comparators, and not only local authorities.

30. The Aareon QL system is a recently-implemented system primarily supporting the Council's Housing directorate. However, it is also closely aligned with Finance and Oxford Direct Services, meaning the challenges experienced in the implementation have been wide-ranging. The precise details of the Panel's update on those challenges were held in confidential session and are not reported. The recommendations made, however, are not confidential. These, both agreed by Cabinet, focused firstly on the extraordinary commitment shown by many Council staff in mitigating the challenges faced and ensuring that they were not inadvertently punished by the Council's HR policies for doing so. The second recommendation was a simple one about the Council ensuring that the indirect costs, such as staff time, would be included in a future lessons learnt exercise.
31. In addition to the substantive reports, the Panel selected the suite of key performance indicators it wishes to keep sight of over the course of the year to ensure particularly important targets are being met.

06 September

32. Two substantive reports were considered at this meeting:
  - Integrated Performance Report Q1 (no recommendations)
  - Treasury Management (no recommendations)
33. The Cabinet considers a quarterly report detailing the Council's delivery concerning finances, risk and performance each quarter. This report looked at the year-end performance. Although no recommendations were made in response to the report it was discussed in detail, with time devoted particularly to the Council's financial performance, with car parking, community centre and commercial property rental income streams all being discussed.
34. In straightened financial circumstances, as experienced by the Council following Covid, the performance of the Council's investments is vital. The Council's income had fallen short of budgeted expectations, but on the other hand had outperformed most similar councils. Those which performed better than the Council were local authorities with risk profiles and tolerances beyond which is felt to be prudent for this Council. No recommendations were made, but discussion was devoted to future returns, and also exploration of the Council's ethical investment policy.

### **Companies Panel**

35. There have been two meetings of the Companies Scrutiny Panel, on 20 July and 18 October 2021. As referenced in the last update to Council from Scrutiny, the governance of the Council's companies has been changed in response to recommendations made by the Council's auditors. The first meeting, 20 July, took place under the previous regimen. The Panel received updates from all four of the Council's companies and joint ventures, but made no recommendations. The meeting of 18 October took place under the new arrangements, whereby Panel members are also invited to attend the Shareholder and Joint Venture Group

meetings. The meeting of the Panel, and the Shareholder and Joint Venture Group meeting, were to discuss changes to the OxWED joint venture structure. Discussions on this were held in confidential session and are not detailed here, but following discussion the Companies Scrutiny Panel agreed to raise issue of timeliness, cost transparency and the protection of the Council's interests under the proposed restructure at the Shareholder and Joint Venture Group.

36. A meeting of the Companies Panel is scheduled for 24 November 2021 which, although prior to the meeting of Council, falls too closely to it to be reported on here.

## **Review Groups**

37. The Scrutiny Committee has agreed the topic for its annual Scrutiny Review Group, which is to be on Child Poverty. Normally, this would have begun at this point. However, it is the wish of the Committee that the Council try to work with the County Council on a joint review owing to the County Council's important role in addressing this issue. The County Council is currently undergoing a change to its Scrutiny function, which has caused a delay. However, it is expected this review will commence in January 2022.
38. Also commencing in January 2022 will be Scrutiny's review of the Council's proposed budget. The Budget Review Group will meet on 04, 06 and 10 January to hear from Heads of Service about the changes to their budgets, and to raise questions on the proposals.

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