

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the proceedings at a meeting of the Overview and Scrutiny Committee held in the District Council Chamber, Kendal Town Hall, Kendal, on Friday, 4 March 2022, at 10.30 a.m.

Present

Councillors

Vicky Hughes (Chairman)
Doug Rathbone (Vice-Chairman)

Pat Bell
Brian Cooper
Eamonn Hennessy

Hazel Hodgson
John Holmes
Janette Jenkinson

Susanne Long
Mark Wilson

Apologies for absence were received from Councillors Robin Ashcroft, Jonathan Brook, Helen Chaffey and Andrew Jarvis.

Officers

Julia Krier	Legal, Governance and Democracy Specialist
Ross Ette	Case Management Officer (Support Services)
Nicola Cassidy	Legal, Governance and Democracy Specialist (Solicitor)
David Sykes	Director of Strategy, Innovation and Resources
Simon Rowley	Director of Customer and Commercial Services
Simon McVey	Director of Strategy, Innovation and Resources
James Cartwright	Case Management - Support Services
Alex Downes	Climate Change and Biodiversity Specialist
Gareth Candlin	Operational Lead - Place and Environment

Also in attendance were Councillors Philip Dixon (Customer and Locality Services Portfolio Holder) and Dyan Jones (Climate Action and Biodiversity Portfolio Holder).

O&S/43 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 04 February 2022.

O&S/44 DECLARATIONS OF INTEREST

No declarations of interest were raised.

O&S/45 DECLARATION OF THE PARTY WHIP

No declarations of the party whip were raised.

O&S/46 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

There were no excluded items on the Agenda.

O&S/47 PUBLIC PARTICIPATION

No questions, representations, deputations or petitions have been received in respect of this meeting.

O&S/48 WORK PROGRAMME SETTING 2022/23

The Director of Strategy, Innovation and Resources introduced the report, noting that a light draft work programme was included at Appendix 1.

Referencing the previous meeting of 4 February 2022, he reminded Members that the Chair and Vice-Chair had agreed to meet with Officers to consider an item for the Work Programme centred around Local Government Reorganisation (LGR) and noted that this had taken place prior to the current meeting.

Before speaking on this further, the Director of Strategy, Innovation and Resources reminded Members that the Local Government Association was holding an LGR training session on 9th March and that any Member could sign up to attend.

Moving on to LGR and its relation to the Overview and Scrutiny Committee, the Director of Strategy, Innovation and Resources provided Members with an overview of the expected transition arrangements, noting that South Lakeland District Council would remain responsible for all of its services right up until the vesting day of the new unitary council. He further explained that the shadow authorities would likely set up their own Overview and Scrutiny arrangements and that those shadow authorities would be responsible for the development of the new unitary council.

However, he informed Members that there was an opportunity for South Lakeland District Council members to input, and to ensure that the corporate knowledge built up over many years was not lost in the transition. He continued by noting to Members that any contribution from the Council's Overview and Scrutiny Committee would need to be focused so as to offer a clear message to be taken forward as part of the transition.

He informed Members that following a discussion with the Chair/Vice-Chair of Overview and Scrutiny Committee, the initial proposal was to form a task and finish group and hold a short series of sessions, including a scoping session, to look at the distinctive aspects of South Lakeland District Council's delivery of functions and influencing the policy development of the new unitary council. It would be desirable for these sessions to be held in the first quarter of the new municipal year, following which a report would be presented to the Committee. Progress would also be reported on throughout the 2022/23 municipal year.

He concluded by reminding Members that the LGR process was rapidly progressing, and that there might be a need to adjust timescales accordingly should things change.

Members welcomed the idea of a task and finish group, and reiterated the importance of ensuring that corporate knowledge, including aspirations, aims and good practice, was not lost. Members also acknowledged the need for a balanced approach given the depth of the topic and the timeframe available.

In responding to a request for clarification of the timescales, the Director of Strategy, Innovation and Resources informed Members that the sessions ideally would need to be

held in April, May and June with a report on the findings to be presented during the July Overview and Scrutiny committee meeting.

Members also sought clarity on South Lakeland District Council's operations following the May elections. The Director of Strategy, Innovation and Resources responded by reiterating that the Council would continue to provide its services right up until the vesting day of the new unitary council. The shadow authority would be responsible for designing the new council, not the delivery of services.

Members also queried whether the current Overview and Scrutiny committee would be scrutinising the new unitary authority. The Director of Strategy, Innovation and Resources responded noting that the new shadow authority would implement its own Overview and Scrutiny. He further noted that the role of South Lakeland District Council's Overview and Scrutiny committee was to continue to provide scrutiny of South Lakeland District Council's functions. The proposal to establish a task and finish group on LGR would look at how the Council may transfer its existing knowledge and experience into the new authority.

Members expressed an interest in including an item in the work programme on Health Services, including for example inviting an appropriate representative to attend the committee to update members on proposed health service changes. It was suggested that this would provide a channel for members to pass on comments from residents where previously they had not had opportunity to do so. Following discussion it was agreed that a representative from the University Hospitals of Morecambe Bay Trust be invited to attend a future meeting.

RESOLVED That:

- (1) the draft Work Programme in Appendix 1 be approved and to include the establishment of a Task and Finish group to look at ensuring the retention of the Council's corporate knowledge as part of the Local Government Reorganisation transition process; and
- (2) a representative from the University Hospitals of Morecambe Bay Trust be invited to attend a future Overview and Scrutiny committee meeting to address the Committee on proposed health service changes.

O&S/49

DRAFT OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/2022

The Case Management Officer briefly introduced the report, noting that it was a summary of the work carried out by the Committee over the last year.

Members noted that given the circumstances it was positive to see how much the committee had achieved throughout the year.

The Chair echoed these comments, thanking officers and the Vice-Chair for stepping in in her absences.

RESOLVED – That the draft Overview and Scrutiny Annual Report 2021/22 at Appendix 1 be approved and referred to Full Council, subject to any relevant updates following the meeting.

O&S/50 REVIEW OF EFFECTIVENESS AND SCRUTINY RECOMMENDATIONS REPORT

The Chair asked the Committee if there were any comments on the report.

No comments were raised.

RESOLVED – That:

- (1) the findings of the Review of Effectiveness, as attached at Appendix 1 be noted; and
- (2) the progress made by Cabinet in implementing the recommendations of the Committee be noted.

O&S/51 ANNUAL REVIEW OF THE CALL-IN AND URGENCY PROVISIONS 2021-22

The Chair asked the Committee if there were any comments or concerns on any of the items listed in Appendix 1 of the report.

No comments or concerns were raised.

RESOLVED – That:

- (1) the contents of the 2021-22 Annual Review of the Call-in and Urgency provisions be noted; and
- (2) it be noted that the report will be considered by Full Council.

O&S/52 THE LICENSING ACT 2003 - REVIEW OF STATEMENT OF LICENSING POLICY

The Operation Lead (Places and Environment) introduced the report, passing on apologies from the Principal Specialist who could not attend the meeting.

He noted that the purpose of the report was to inform Members that a review of the policy had taken place as required by legislation. He reminded Members that the policy formed part of the Council's Corporate and Budget Policy Framework, and noted that the existing policy had been extended to March 2022.

He continued by highlighting that the policy had been subject to a six week consultation from November 2021 to January 2022, and following the consultation no amendments had been necessary to the draft policy.

He concluded by informing Members that the Licensing Committee had approved the policy at their meeting of 7th February 2022 and noted that he would do his best to answer questions in the absence of the Principal Specialist and would revert with written answers to more detailed queries, where needed.

In responding to a question on pavement licences and whether they were referenced in the policy, the Operational Lead noted that pavement licenses were a part of new legislation introduced during the COVID-19 pandemic and that the legislation had since been updated. He noted that he would need to confirm with the Principal Specialist, but believed that it was picked up in a separate policy that would be updated in future.

A question was raised regarding air quality across the district, in response the Director of Customer and Commercial Services noted that air quality had been steadily improving across the district and that only one air quality management area had been established.

He confirmed that air quality was constantly monitored across the district and that similar decreases in air pollution were being seen elsewhere as a result of improved technology.

Members requested that, in relation to future reports regarding updates to policy, any amendments to existing policy be clearly highlighted so as to assist members in identifying and considering the proposed changes. The Operational Lead noted the comment and confirmed that he would pass it on to the relevant officers.

RESOLVED – That:-

- (1) the consultation undertaken with stakeholders during the period of 29th November 2021 to 9th January 2022 be noted;
- (2) the recommendation from the Licensing Committee that the Policy proceed to Council for adoption be noted; and
- (3) the revised Statement of Licensing Policy be recommended to Full Council for adoption.

O&S/53

THE GAMBLING ACT 2005 - STATEMENT OF GAMBLING LICENSING POLICY

The Operation Lead (Places and Environment) introduced the report, passing on apologies from the Principal Specialist who could not attend the meeting.

He noted the Gambling Act 2005 required local authorities to prepare a policy statement, and that the policy had been updated to reflect changes in national guidance. He continued noting that the policy revision also aimed to strengthen the three main priorities, these being Crime and Disorder, Fairness and Openness and Protecting Children and Vulnerable individuals.

The Operational Lead concluded by noting that the revised policy was currently subject to formal consultation which would close on the 9th March 2022, following which the policy would be presented to Licensing Regulatory Committee and then Full Council for approval.

Members again requested that the specific changes to the policy be clearly highlighted in future updates. The Operational Lead noted the comments and confirmed he would pass them on to the relevant officers.

RESOLVED – That:-

- (1) the approval from Licensing Regulatory Committee that the revised Statement of Gambling Licensing Policy proceed to public consultation be noted;
- (2) the on-going public consultation, due to conclude on 9th March 2022, be noted; and
- (3) the revised Statement of Gambling Licensing Policy (Appendix 1) be recommended to Licensing Regulatory Committee and Full Council for adoption following the public consultation, and consideration of any comments received.

O&S/54 CUSTOMER AND LOCALITY SERVICES PORTFOLIO HOLDER REPORT

Note – The Chair agreed for this item to be considered after the Climate Action and Biodiversity Portfolio Holder report (O&S/55).

The Customer and Locality Services Portfolio Holder introduced the report and then briefly covered the key portfolio news from within the report before passing over to Members for any questions or comments.

In response to a question on the presence of Locality officers, the Portfolio Holder noted he would speak with the Locality team and suggested that officer attendance at Parish meetings at least once a year would be welcomed.

It was noted that the new minimum limits for the locality grants available for members to distribute to various groups meant members could support fewer groups with the allowance. The Portfolio Holder noted that he agreed with the sentiment, but added that the matter had been considered and agreed at the Member Support Steering Group and would stay the same for the time being.

In responding to a question on potential food waste collections, the Portfolio Holder noted that the Council was awaiting the latest waste management strategy from central government and that local government would see the harmonisation of waste collection across the relevant areas. He noted that weekly household food waste volumes may not be high enough to warrant regular collections. The Director of Customer and Commercial Services supported the response, further noting food waste volumes were historically low.

Members raised a question on the funding sources for the electrical charge points noted in the report. The Director of Customer and Commercial Services responded by informing Members that the project was government funded and had no direct impact on the Council's resources. He added that the project was a trial approach to provide electric vehicle charging in certain locations.

Members expressed their delight that the Legal team had been nominated for in-house team of the year by the Law Society. Further adding that more should be done to acknowledge the work and achievements of the Council's teams and officers.

Members also praised the work of the emergency planning team, noting that social media updates had been a great help for residents.

In response to a comment made by the Portfolio Holder, Members expressed their support for the idea of Human Resources access for Councillors, noting that the work of a Councillor could often be very stressful.

In responding to a question on the potential for electric road sweepers, the Portfolio Holder noted that they had been trialled but did not meet the required standard at present. He concluded noting that the Council could not commit to a fleet of electric sweepers until the technology was perfected.

RESOLVED – That the contents of the report be noted.

O&S/55 CLIMATE ACTION AND BIODIVERSITY PORTFOLIO HOLDER REPORT

The Climate Action and Biodiversity Portfolio Holder introduced the report, noting it was comprehensive and showed the volume of work going on within the portfolio.

The Portfolio Holder informed Members that the council had been credited by the Ashton Institute, Friends of the Earth and UK100 for the work it was doing within the portfolio.

In response to a question on whether climate action protocols would need to be compromised as a result of rising energy costs, the Portfolio Holder acknowledged the challenges to come but told Members that she saw them as an opportunity for central government to invest and speed up the development of greener technology. She continued, noting that ultimately the Council did not have a great deal of power to influence these decisions but needed to be responsive to any decisions taken by central government.

In response to discussions on tidal power and the potential of Morecambe Bay, the Portfolio Holder noted that investment into tidal power had been raised by MP Tim Farron, but responses had not been positive.

Members queried whether grants were still available to support carbon reduction. The Portfolio Holder responded to note that it was being looked at and that she would expect grants to be available for climate and biodiversity matters.

Members noted that particular focus was given within the report to developments and schemes in Kendal, and it was requested that, in future, members would like to see more mention of other areas also, in order to praise the good work being done across the district. The Portfolio Holder noted the request and acknowledged that there was a great deal of work being done across the district, led independently by local groups. Members followed up with a suggestion that parish councils be invited to speak on such projects.

RESOLVED – That the contents of the report be noted.

O&S/56 CUMBRIA HEALTH SCRUTINY COMMITTEE UPDATE

Cllr Wilson provided an update from the recent Health Scrutiny Committee which he had attended with Cllr Jama.

Cllr Wilson opened by noting that the University Hospitals of Morecambe Bay Trust (UHMBT) had reported a significant backlog of operations, which would take an estimated 4 years to clear. However, he noted that UHMBT had learned lessons from the pandemic for example in the provision of online services.

He continued by informing Members that UHMBT was looking at a new model for emergency stroke care, and that public engagements on clinical policies and a new maternity task force were either underway or upcoming.

Cllr Wilson noted that he would be happy to circulate the minutes from the previous meeting, and suggested that a representative from UHMBT be invited to speak to the Overview and Scrutiny Committee.

In response to queries and concerns regarding local NHS dentistry, Cllr Wilson noted that he would pass the feedback on to the Health Scrutiny Committee.

04.03.2022

RESOLVED – That the update be noted.

The meeting ended at 12.29 p.m.