

Overview & Scrutiny Committee

Monday, 31st October, 2022
6.00 - 8.10 pm

Attendees	
Councillors:	John Payne (Chair), Jackie Chelin, Stephan Fifield, Tabi Joy, Louis Savage, Julian Tooke and David Willingham (Reserve)
Also in attendance:	Harry Mayo, Judith Baker, Darren Knight, Councillor Wendy Flynn, Richard Gibson, Councillor Rowena Hay and Mike Redman

Minutes

- 1. APOLOGIES**
Cllrs. Beale, Britter, Harvey and Williams sent apologies, with Cllr. Willingham substituting.
- 2. DECLARATIONS OF INTEREST**
Cllr. Willingham noted for the record that he also sat on the county council, which was relevant to item 16.
- 3. APPOINTMENT OF INTERIM VICE-CHAIR**
Cllr. Chelin nominated Cllr. Tooke, with Cllr. Willingham seconding this.

Members resolved to appoint Cllr. Tooke as Interim Vice-Chair for the duration of Cllr. Harvey's absence.
- 4. MINUTES OF THE LAST MEETING**
The minutes of the 5th September meeting were approved and signed as a correct record.
- 5. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS**
There were none.
- 6. CABINET BRIEFING**
The Leader of the Council did not have a briefing.
- 7. MATTERS REFERRED TO COMMITTEE**
A matter was referred to the committee from 17th October Council concerning fuel poverty and the work the council was doing to support deprived areas.

The Chair moved into the debate about how the committee could respond to this:

- One Member stressed the need to act proactively and urgently, taking a broad-based approach that increased awareness and understanding.
- One Member highlighted the importance of insulation and efficient heating to the issue of fuel poverty. Investing to save was key, but they also needed a skilled workforce to deliver this, and a rolling plan to ensure quality work and reliable contractors.
- One Member noted that the O&S committee was already running a task group on the topic of tackling deprivation, which had been set up before the current cost of living crisis escalated. The task group reported back to O&S and would eventually go on to Council, perhaps highlighting areas like planning policy where the council could make the biggest difference (for example with regard to secondary glazing). Another Member suggested adding fuel poverty to the task group's remit.
- One Member noted that it would not be possible for a single O&S meeting to cover the issue in real depth, so it would need to identify a particular aspect to focus on.
- One Member highlighted the option of a Cabinet Member Working Group (CMWG), and noted that there was already one in place focusing on Housing. It was important to avoid overloading the council's resources, both in terms of finances and officers.
- One Member noted that the option of getting developers to fund council planning departments was being explored elsewhere in the country, and could provide greater scope to invest in the council's workforce.

The Chair summarised that fuel poverty was clearly an issue of great scope and complexity, with a real lack of precise information around it. For example, they did not know how many houses in the town were poorly insulated, and what degree of insulation would be needed to get these up to standard. The committee needed to engage with Cheltenham Borough Homes (CBH) and get an assessment from them. The CMWG for Housing also had a role to play, as did the scrutiny task group and a number of council departments. The referral highlighted a crisis that would not be solved overnight, and would require a properly resourced long-term plan.

In terms of actions, he suggested that the current Housing CMWG be involved in developing this long term plan, along with the scrutiny task group on Tackling Multiple Deprivation. The chair's group would also consider who could be invited to future O&S meetings to provide additional evidence, such as CBH, the fire service, environmental health and property services.

Members supported the recommendations as a sensible way to tackle a broad issue, and stressed the need to involve partners wherever possible. Another Member was pleased with the response but reiterated the need to act fast, with the number of households in fuel poverty expected to rise considerably over the winter.

Another Member echoed the need to focus on the council's housing stock, but added that the private rented sector was a key player too, for example with identifying unregistered houses of multiple occupancy (HMOs) and ensuring fire

safety. The council had less direct control over this and would need to take an approach that used more stick and less carrot, along with supporting the fire service to ensure public safety. It would be interesting to hear about not just what CBH were already doing, but what they planned to do as well.

RECOMMENDED THAT:

1. The Cabinet Member Working Group for Housing be involved in reviewing the long term plan for council housing retrofitting;
2. Fuel poverty be added to the specific remit of the ongoing Scrutiny Task Group on Tackling Multiple Deprivation;
3. The Chair's group consider who could be invited to future O&S meetings to provide further insight into the issue: e.g. CBH, the fire service, Environmental Health and Property Services.

8. PUBLICA ANNUAL REPORT

Jan Britton (Managing Director, Publica) (JB) introduced the annual report, explaining that the organisation worked with a lot of different councils, with CBC comprising about 4% of its work. The main services it provided were IT, HR and some financial processing.

The Chair moved into Member questions and debate:

- One Member noted that the key performance indicators (KPIs) which had been the focus of previous annual reports were absent. Had these been deemed to not be a priority? JB responded that this report primarily aimed to tell a story of Publica's continuing journey. They did keep copious amounts of KPI data, which was available if Members wished to see it, although the CBC-related data was relatively limited. Publica produced quarterly KPI reports for other councils for whom they provided more services.
- One Member asked how they coped with conflicting priorities between partner councils. JB responded that he did not like the word conflict, and preferred to think of it as balancing competing demands and pressures. It was difficult to ensure that everyone always benefitted at the same time, and they inevitably needed to prioritise. He constantly communicated with chief executives in a collegiate way, and partner councils tended to understand that a bit of give and take was necessary.
- One Member asked for more specifics about what exactly Publica was doing for Cheltenham. JB responded that with just 4% of Publica's turnover being related to Cheltenham, there wasn't a massive story to tell, but the focus was on IT and especially cybersecurity. This was an incredibly fast-moving field, and the incident at the city council highlighted its importance.
- One Member asked how Publica was supporting its staff to get through the current cost of living crisis. JB responded that they made an annual commitment to be a real living wage employer, which was uncommon for a local authority provider – for example, CBC did not do this. They took employee wellbeing very seriously and provided an employee benefit program on top of salaries. There was constant dialogue with staff about their needs and issues.

- One Member found the report interesting, and asked about what difficulties or areas of improvement there were. JB replied that partnerships always required constant maintenance, and there was no substitute for ongoing dialogue. His role was easiest when he was working with all the councils together rather than individually as a mediator. In the last year, all the councils had got round the table more frequently than ever before, and CBC's Chief Executive had been key in this.
- The Leader of the Council added that the leaders of all four member councils met prior to Publica board meetings to talk through the key issues they wanted to raise. There had been an away day in July as well to further strengthen this partnership. She was pleased with the working relationship between CBC and Publica.
- One Member asked for more specifics on the increased efficiency referred to in the report. JB clarified that they were assessing options at the moment to increase efficiency and save money. As a provider of shared services, they could leverage their position to deliver change. In some areas, services could be completely integrated, while in other areas the focus needed to be on building a solid core and reserve. They were also looking at how they built pre-application planning services and the implications of this for the wider process. A further key consideration was asset management, and how to achieve best value from their assets.

The Chair echoed the Leader's point about the strength of the Publica-CBC partnership, thanked the Managing Director for attending, and looked forward to the next annual report.

9. BIODIVERSITY

Mike Redman (Director of Climate Change and Place Services) (MR) introduced the report, explaining that it had been produced in response to a member request and was a timely overview of the work the council was engaged in to protect and promote biodiversity. He acknowledged that the paper only really scratched the surface of the topic, which was inextricably linked to the council's climate agenda. The commitments the authority had made were particularly salient: put simply, if they did not get carbon emissions under control, the implications for biodiversity were serious, with millions of species at risk of extinction due to rising global temperatures. Officers from a range of different departments had contributed to the report, including the climate team, green space management, trees, planning and flood risk management. He felt it showed an impressive range of things that CBC was doing to promote biodiversity and mitigate the worst effects of the climate emergency.

The Chair moved into Member questions and debate:

- One Member highlighted the importance of biodiversity to individuals' quality of life in the town. Exposure to the natural world had a major

impact on mental health, and the most deprived areas were the least likely to have areas of biodiversity.

- One Member asked whether the council had a commitment to always use native species when they planted plant trees and flowers, and to use the best species for the natural habitat. MR responded that this was a complex issue, as most species were threatened by disease and higher temperatures, and it was not clear whether they would thrive in the future, so they could not always rely on native species. The county council was also reluctant to plant many of the species they had seen flourish in the past because they were forest trees which could get very big and cause damage to highways. He was in regular contact with the council's experienced Trees Officer, Chris Chavasse.
- One Member acknowledged the tension between tidiness (which many residents prioritised) and biodiversity, and the need to balance competing interests.
- One Member asked what levers the council could pull in terms of promoting biodiversity through housing. MR responded that there were some constraints from a legal point of view – if a building complied with building regulations then there was not a lot they could do. The council had passed a climate change SPD to encourage more carbon neutral developments, and was working with Climate Leadership Gloucestershire to lobby central government to allow greater autonomy for local authorities on these issues. Developers were obviously focused on making a profit, and the climate was not their main concern.
- One Member asked whether 'friends of' groups had the opportunity to advise and influence the council on local issues. MR responded that they worked very closely with these groups through the Green Space team. It was good to encourage community groups to have a degree of autonomy in the face of climate change, and helped build resilience.
- One Member noted that in their ward, they had a park which was just downstream of a sewage outlet that constantly discharged raw untreated sewage into the river. There were also rivers contaminated by Himalayan balsam (a non-native invasive species), while parts of the Honeybourne Line had issues with Japanese knotweed. The council needed a strong partnership with the Environment Agency to tackle these issues, though the EA had suffered cutbacks recently. MR agreed that this required a long-term approach, and they had volunteers working to remove the invasive species mentioned. One key issue was that at some times of the year, trying to remove it made it worse.
- One Member suggested planting more developed tree species that were less susceptible to antisocial behaviour such as vandalism.
- One Member highlighted the need to work with 'friends of' groups and harness the different skillsets and enthusiasm of volunteers.
- One Member asked how the 2021 Environment Act fit into the council's plans. MR acknowledged that with new planning rules coming into effect next year, they were expecting a rush of planning applications just beforehand to avoid this. The Act would have a clear impact on the National Planning Policy Framework.

- One Member looked forward to seeing how biodiversity concerns were factored into the Golden Valley development. MR responded that he had engaged with the developer and was reasonably assured about that. He sat on the Gloucestershire Local Nature Partnership working group, which was proposing a county-wide fund using credits from developers who could not provide the necessary biodiversity uplift themselves. These credits would be used within Gloucestershire rather than allowing developers to purchase their net gain elsewhere in the country. There was considerable support for this across the county's planning authorities, and a draft memorandum of understanding was being signed at the moment. CBC wore multiple hats as a planning authority that was also a landowner, so there were lots of ways they could enforce these things. He expected that the main challenge would be ensuring compliance both pre- and post-development.

The Chair thanked the Director of Climate Change and Place Services for his report and answers to Member questions. He expected the environment and climate teams to be of great importance over the next few years.

10. RESPONSE TO COUNCIL REFERRAL ON 18TH JULY REGARDING UNICEF CHILD FRIENDLY STATUS AND NO CHILD LEFT BEHIND

Richard Gibson (Head of Communities, Wellbeing and Partnerships) (RG) introduced his report, which had come about as a result of a Council motion in July. It sought to answer three key questions: what was UNICEF child-friendly status and how did it compare with No Child Left Behind; given current council priorities, would working towards UNICEF child-friendly status add value to their work; and was it realistic, given current workloads for the council, to lead the work to achieve child-friendly status alongside its existing priorities and its commitment to No Child Left Behind?

He outlined how child-friendly status involved adopting a rights-based approach based on the UN Convention on the Rights of the Child, as opposed to the voluntary-based No Child Left Behind program. There was nothing within the convention that Members would not support, though it would be a long-term commitment (their guidance suggested three to five years) rather than a quick win. It could not be achieved without consideration of the financial impact, and the report highlighted some of the associated budgetary issues. He also highlighted that they would need the support of two-tier colleagues, including the health service, county council, the police and the voluntary sector, rather than just being a CBC-led project.

The report also considered alignment with the council's corporate priorities, including health and wellbeing and the town centre. The final question was simply 'is it realistic?', the answer to which would depend on the budgetary situation and whether an aligned approach with partners could be achieved. There was also the question of workload: with limited officer capacity, it was worth considering what might need to be reprioritised to make room.

The Chair moved into Member questions and debate:

- One Member highlighted the importance of the cost-benefit balance, and the possible opportunity cost. It was hard to see how child-friendly status would be achieved without diverting attention from NCLB, unless it generated extra income.
- One Member noted that a number of the current child-friendly cities listed in part 3.7 had well-documented issues with gangs and youth crime, and questioned what child-friendly status (or working towards it) was actually achieving.
- One Member noted that the list of partners the council would need to get on board included GCC children's services, which was deemed inadequate not long ago, while the 2021/22 PEEL Report had raised questions about policing.
- One Member highlighted the work of NCLB as a visible presence in Cheltenham's communities, and suggested that the resources needed for child-friendly status would be better invested in expanding NCLB. Both county-wide buy-in and a major shift in finances would be required to deliver both.
- One Member emphasised the importance of the rights of children to education, to play and to see their friends, which had been constrained in the last few years. If these were to be specifically enshrined in council policy, they would like to see something far stronger.
- One Member asked how many of the key points raised at 3.4 in the report were already covered by the council and its partners' existing policies. RG responded that these points were all covered by a variety of sources, not necessarily the council – for example, protection from exploitation was primarily in the gift of the police and social care. Other points on the list were tougher to nail down – for example, when it came to young people being able to express opinions and influence decisions that affect them, the council could do more. There used to be a youth council called Making a Difference which worked alongside the actual Cabinet to ensure young people had a voice.
- One Member stressed the need to avoid spending precious officer time duplicating work already being done elsewhere.
- One Member suggested that the key was to work constructively with partners, while accepting that there were some areas they could not influence. Another Member agreed, highlighting the need to hold their partners to account so NCLB was not just an empty pledge.
- One Member highlighted that the partnership scheme only required the council to sign up to a manifesto, so it was not necessarily a major budget commitment. NCLB's own budget was not entirely clear, and it would surely be possible to expand its scope with child-friendly status as an appropriate framework.
- One Member noted that Dame Janet Trotter, chair of Gloucestershire Childrens Coalition, had confirmed that they considered joining the UNICEF scheme several years ago and turned it down, which might make other parties reluctant to buy into it. Another Member responded that Janet Trotter had also said that the Coalition had gained traction

since then, and was playing a major role in ensuring cross-organisational working.

- One Member suggested writing to the GCC Children and Families Overview and Scrutiny Committee or the relevant Cabinet Member to see their view on this, and suggest taking it forward county-wide.

The Chair suggested that Cheltenham was lucky to have an organisation like NCLB that had grown out of local need and was focusing specifically on children living in less than adequate conditions. As a result, they were reluctant to tamper with it, and suggested ring-fencing it from interference. He summarised that while Members felt there was a real need for the principles of the UNICEF framework, the difficulties were clear.

He agreed that the county council should be canvassed for their views, though he expected they would reject this. He asked Members whether they would prefer to return the motion to Council along with the report provided by the Head of Communities, Wellbeing and Partnerships and let them vote on it, or say here and now that they wanted to pursue a different course and investigate cross-county co-operation.

- One Member felt that Council should certainly have an opportunity to vote on it.
- One Member noted that as the Chief Executives of both CBC and CBH sat on the coalition, there was already a direct link to the council. The Executive Director of Place and Communities also sat on the Health and Wellbeing Board, which was developing the Integrated Care Strategy and working to integrate support for young people.
- One Member highlighted the importance of prioritising youth democracy, as this was lacking in schools nowadays. It was only right that young people should be consulted about the decisions that affected them most of all. Another Member noted that there were local representatives in the Youth Parliament, although there was no Cheltenham-specific body.

The Chair summarised that the overall recommendation of the committee was for NCLB to be ring-fenced and not diluted in any way by the UNICEF child-friendly approach. Cheltenham did not currently have the resources to address this, though there was a need for greater involvement of children in the process. The council needed to consult colleagues at GCC to find out if a cross-county approach could be developed.

RECOMMENDED THAT:

1. No Child Left Behind be ring-fenced, and not changed or diluted by pursuit of the UNICEF child-friendly approach.
2. County council colleagues be consulted to see if a cross-county approach can be developed with relation to the child-friendly framework, including greater involvement of children in the decisions that affect them.

11. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Cllr. McCloskey's update from the 22nd September Gloucestershire Economic Growth Scrutiny Committee and Cllr. Bamford's update from the 18th October Health Overview & Scrutiny Committee were taken as read.

Cllr. Willingham gave a verbal update on the 26th October Gloucestershire Police and Crime Panel. This had consisted of two meetings on the same day, the first being an exercise to appoint a new Chief Executive (the former Deputy Chief Executive), before an update from the Police and Crime Commissioner. Cllr. Willingham raised issues regarding antisocial behaviour, the time taken to respond to non-emergency 101 calls and the HMICFRS' report into inadequacies in Gloucestershire Constabulary's procedures. A senior police officer gave a presentation on this, which was available online. Key topics included some police officers' reliance on food banks and vouchers, as well as administration issues. It was clear that the police were seeking to get on the road to recovery, and it was important to ensure that the right policies and support were in place to make that happen.

12. UPDATES FROM SCRUTINY TASK GROUPS

The update from the Scrutiny Task Group on Tackling Multiple Deprivation was taken as read. The Democracy Officer added that there would be two task group meetings before the next O&S meeting on 28th November, focusing on education and housing respectively.

13. REVIEW OF SCRUTINY WORKPLAN

There were no comments on the scrutiny workplan.

14. DATE OF NEXT MEETING

28th November.

15. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION

Members resolved to move into exempt session.

16. HIGH STREET DEFECTS

The Executive Director of Place and Communities introduced the paper on the High Street defects and responded to Member questions.

John Payne
Chairman