

Contact Officer: Carol Tague

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 9th June 2020

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Cooper
Councillor Harpreet Uppal
Councillor Andrew Marchington
Councillor Habiban Zaman

Observers: Councillor Eric Firth
Councillor Charles Greaves
Councillor Bernard McGuin

68 Membership of Committee

All members of the Committee were present.

69 Minutes of Previous Meeting

The minutes of the Committee meeting held on 9 March 2020 were agreed as a correct record.

The following matters arising were reported.

- Leader of the Council - Update on Priorities 2019/20 (Page 4) – it was clarified that planning was an administrative decision making process not a quasi-judicial process.
- Update on the Climate Emergency Working Party (Page 7, Rec 2) – the review referred to was an information collection exercise by the Society of Municipal Treasurers in February, so was a snapshot of the situation at the time and limited to those LAs who responded.

All other recommendations had been noted and would be considered as the programme is developed.

- Annual Review of Flood Risk Management Action Plan (Page 11) - Covid-19 restrictions had hindered engagement activities to develop new initiatives like the Flood Warden and Sandbag initiative. If restrictions continued then the Service would look to explore community engagement using online tools such as Skype. However, the risk of digital exclusion would need to be considered.

70 Interests

Cllr Andrew Marchington declared an interest in relation to Item 9, in that he was a member of the KNH Board but had a dispensation to engage in matters of Council business.

71 Admission of the Public

All items were considered in public session.

72 Deputations/Petitions

No deputations or petitions were received.

73 Public Question Time

There were no public questions received.

74 Request to Re-establish an Ad-Hoc Scrutiny Panel

The Committee considered a request to re-establish the Ad Hoc Scrutiny Panel - Future arrangements for the Council's Residential Housing Stock

RESOLVED:

1. That the Ad Hoc Scrutiny Panel - Future arrangements for the Council's Residential Housing Stock be re-established and the Chair of the Economy and Neighbourhoods Scrutiny Panel be invited to attend any future meetings of the Ad Hoc Panel; and
2. The terms of reference outlined be agreed.

75 Allocation of Scrutiny Co-optees for the 2020/21 municipal year

The Committee received a report which sought approval for the proposed allocation of Scrutiny Co-optees for the 2020/21 municipal year.

RESOLVED:

That the allocation of co-optees, as set out in Section 2 of the report, be approved.

76 Devolution

The Committee received an update from Julie Muscroft, Service Director – Legal, Governance and Commissioning on the Devolution consultation process. Councillor Shabir Pandor, Leader of the Council and Jacqui Gedman, Chief Executive were also in attendance for this item.

The following key points were noted:-

- The consultation was being run by the West Yorkshire Combined Authority (WYCA). WYCA had produced the supporting plan, materials and activity log of when specific actions would take place.
- Kirklees Council had a devolution link on the website to the WYCA site with access to the survey.
- The survey started on 26 May 2020 and after 1 week, 43% of the overall target of a 1,000 responses had been received, with circa 600 responses to date. The response rate from Wakefield had been especially strong and Kirklees had asked WYCA to work with the communication teams in each of the districts to look at what had worked particularly well, to ensure that this could be replicated

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across all authorities. Circa 9% of responses received in the first week were from Kirklees.

- IPSOS Mori were due to carry out a mid-point review and once completed there would be an opportunity to start in depth discussions on specific themes and issues.
- The consultation would finish on 19 July 2020 and the subsequent analysis would be concluded on 23 August 2020. A first report and analysis would be published circa 24 August 2020, with consideration of the final draft report by partner councils in early September. This would then go to Executive and Council meetings with the subsequent submission of the report and the outcomes from it, sent to the Secretary of State. It was expected that the draft order and final consent would be received by the end of October / beginning of November, with a view to that going back to Cabinet and Council for a final decision.
- WYCA had held a scrutiny session on 22 May 2020 and a further session was scheduled for 10 July 2020.
- There were separate pieces of work ongoing which would be reported back in relation to precept powers and funding, alongside other issues such as how concurrent powers would work, the role of the proposed deputy mayor, increased emphasis on tackling the climate emergency and the Police and Crime Panel.

The Committee asked a number of questions and a summary of responses is noted below:-

- Political balance would be derived from how the electorate of West Yorkshire had voted as an entirety. Councillor Pandor outlined that Kirklees would continue to argue for as wide a representation as possible and wished to reassure the Committee that there would be more involvement from councillors across the region, adding that the key rationale was the unlocking of millions of pounds of investment.
- It was noted that the Governance Review indicated that there could be 2 Deputy Mayors, including one for policing and crime and there was no reference to this in the consultation questionnaire. In response, Councillor Pandor advised that the Police and Crime Commissioner currently received payment of in excess of £80,000 and that role would cease. The second Deputy Mayor would be a Council leader so there would be no remuneration for that. The Deputy Mayor salary would be in the region of £40-50k and there would be a further saving when the PCCs office moved into the Combined Authority.

The Chief Executive stated that she would pick up the difference between the governance review and questionnaire as a process issue.

- A concern was raised as to the consultation process and if the feedback received would have any influence on decision making. It was noted that the feedback would be considered as part of the report to Cabinet and Council and if there was a substantial groundswell which suggested a change was required, this would need to be picked up as part of that report and fed back into conversations with the Secretary of State.

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The Service Director stated that she would seek clarification as to whether the mid-point review would be made publicly available. A concern was raised that publication part way through could have the potential to skew results.

The Chief Executive added that this was not an open consultation, as in seeking views. The Leaders had indicated through the negotiations at a national level that they were minded to accept the deal which would lead to an elected mayor and the consultation was on the governance arrangements around that. If the feedback indicated that there was an overwhelming view to the contrary, then those views would be shared with national government.

- With regards to feedback, it was acknowledged that it was important to have as wide a representation as possible. If the mid-point analysis indicated gaps in response, efforts would be put in to ensure a representative sample. The communication teams across West Yorkshire were working in collaboration to ensure the most meaningful consultation possible.
- A member of the Committee expressed further concerns as to the lack of public consultation, adding that communication and engagement had been lacking at all stages of the deal making process and asked how the Council was going to engage given the short timescales.

In response, the Chief Executive advised that work was moving at pace and she was confident that mechanisms were in place to address areas of low response.

- In response to concerns raised as to accessibility, the Committee were advised that a 2 pronged approach was being taken with WYCA leading at a regional level and local authorities reaching out a local level.

The Chair highlighted that unlike the other councils involved, the Kirklees Council website did not have an area on the home page regarding devolution. The Chief Executive responded that this would be addressed as a matter of urgency.

RESOLVED: That the Committee:

1. Noted the information presented;
2. Requested an update on response rates at the mid-point review stage;
3. Recommended that accessibility, including website access, be reviewed; and
4. Asked that consideration be given as to how best to involve community networks in the consultation.

77 Council Priorities and the Covid-19 Response

The Committee received a verbal update from Councillor Shabir Pandor, Leader of the Council in relation to the Council's priorities and the Covid-19 response. Jacqui Gedman, Chief Executive was also in attendance for this item.

Key points of note included:-

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- The scale of the challenges faced were acknowledged and the work of staff, local councillors, partnerships and the voluntary community sector in responding to the national crisis at a local level was highlighted.
- It was anticipated that the recession would be the hardest in living memory and it was critical for partnership working to continue.
- In terms of financial resources, the LGA were developing a business case to ensure that local government could continue to move forward. Ambitions in relation to mental health, domestic violence, children's services, adults social care and economic recovery would need government commitment and resources.
- The easing of lockdown and the dangers of complacency and a second spike were highlighted.
- Government had recognised that local government was at the vanguard of change and a Local Outbreak Control Board was being developed. However, the right data and clarification of powers was required, as were the resources to drive that agenda forward.
- Cabinet portfolios has been revised to oversee the immediate Covid-19 response and recovery strategy and an overview of this work was given.
- The Chief Executive added that this was a time were the Council had pushed boundaries beyond what was thought possible and it was important to build on the positive work as part of the recovery.

The Committee asked a number of questions and a summary of responses is noted below:-

- With regards to primary schools, it was noted that it was important to work with schools, parents and pupils, to provide reassurance and to listen to professional and government advice and focus was on what was best for the child.
- In terms of economic recovery, work was ongoing at a West Yorkshire level and strands included businesses and how to support them; employment and skills; environment and how to capture the environmental benefits that arisen during the Covid crisis and continue with the carbon challenge; local area investment; and infrastructure, including re-evaluation through learning.

It was also noted that work was taking place at local level to review town masterplanning to ensure that the plans remained the best way forward.

- Inequality was a key priority and it was important to review the impact of the Covid-19 experience. Analysis of the recently published Public Health study was being undertaken. Whilst there had previously been a strong focus on inclusivity and diversity, the Council was keen be bold and brave in this area and look at the impact of people's real lived experiences.
- With regards to vulnerable children and safeguarding, a member of the Committee advised that they had attended the Children's Improvement Board and was impressed by the work that had taken place to ensure that the most vulnerable children were kept protected. The Kirklees' Children's Safeguarding Board had met throughout lockdown and anecdotal feedback reflected that

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school staff had been out in the communities to check that those children potentially at risk, were well and looked after. The Leader welcomed this feedback and added that it was always important to receive robust feedback and challenge.

- In terms of the longer term impact on educational outcomes, it was noted that the Children's Scrutiny Panel were keen to be look at the potential impact of missed school days and which communities might be most affected. It was requested that Cabinet Members include Scrutiny Lead Members on areas of work, so that Panels could determine how best to scrutinise the effectiveness of this work moving forward. The Leader acknowledged that it was important for Cabinet to link in with scrutiny and agreed that Cabinet Members should ensure that scrutiny lead members were briefed.

The Chief Executive advised that robust measures had been put in place to ensure that as many children as possible were in view and paid tribute to the children's social workers and the Kirklees' school system who had worked collaboratively with the Council and gone above and beyond to support vulnerable children.

- With regards to the need for resilience, councillor engagement was taking place to ensure that issues at a local level were being captured. It was noted that a number of local firms had responded to the PPE challenge and had reconfigured their business around that. Local supply chains were being developed and the Kirklees' pound considered wherever possible.
- It was noted that a number of business had not been able to access government grants due to the stringent criteria stipulated. Analysis was being carried out to identify such businesses in order to see if a more flexible approach could be developed at a local level.
- The Council had worked closely with taxi drivers throughout the pandemic to ensure that they were abreast of and complying with guidelines. A number of drivers were involved in the home to school transport response and some had supported the voluntary capacity, which was welcomed. A piece of work was ongoing to look at whether there was more that could be done, particularly given the fact that taxis would play an important part in the public transport system moving forward. Consideration was also being given as to how best to share Public Health messages arising from the recent study with the community.
- The Committee were advised that the Leader had been in touch with local BAME community networks throughout the crisis. It was noted that a letter was being sent out to all faith organisations and community leaders across Kirklees regarding a forthcoming webinar event, which would be attended by both the Leader, and Cabinet Member for Learning, Aspiration and Communities. It was agreed that details would be shared with all councillors via the weekly councillor communications bulletin.
- Concerns had been received from teachers with a BAME background. It was noted that union advice had been that if an employee did not go into work then

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they may be in breach of their contract. However, if an employee went into work and identified areas of concern, then they were reasonably in a position to say that they would not go into work as they felt their health was being comprised and report this to their union.

- Whilst there had not been a massive crisis in care homes locally, there was not enough testing across the sector and PPE had been an issue throughout. The Leader added that it was important that the adult social care sector was treated on a par with the NHS.
- It was noted that when other buildings were opened, people would have concerns similar to those raised by schools and it was questioned as to how the Council could support those facilities to ensure that people are safe and feel safe.

The Committee were advised that the government had issued guidance to enable local authorities to develop Local Outbreak Control Boards, but it was awaiting funding and clarification as to how current powers could be used.

- In concluding the discussion, the Chair reported that it had been agreed for the following items to be exempt from call-in due to their urgency:
 - Devolution Deal for West Yorkshire - Review, Scheme and Consultation (21 May 2020)
 - Support to Adult Care Providers (26 May 2020)
 - COVID-19 Local Authority Discretionary Grants Fund (26 May 2020)

RESOLVED: That the Committee:

1. Wished to place on record their thanks to staff for their hard work throughout the pandemic;
2. Noted the information presented and thanked the Leader and Chief Executive for their contribution to the meeting;
3. Agreed that items in relation to (i) climate change; (ii) inequality; and (iii) resilience for business would be considered by the relevant scrutiny panels;
4. That discussion would take place as to scrutiny of the Recovery strategy and the different strands therein;
5. Requested that Cabinet Members ensure that Scrutiny Lead Members received briefings on relevant areas of work.

78 Work Programme

The Committee considered its forward agenda plan and future meeting arrangements.

RESOLVED: That

1. The schedule of virtual meeting dates outlined be agreed; and
2. Items in relation to (i) Cohesion; (ii) Climate Change; (iii) Domestic Violence Strategy Update; and (iv) Place Partnerships working and the response to Covid-19, be added to the relevant Scrutiny Panel work programmes.