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Minutes of the meeting of the Overview and Scrutiny Committee

Date: Tuesday, 21 February 2023

Venue: The Liz Cantell Room, Ealing Town Hall, New Broadway,
Ealing, W5 2BY

Attendees (in person): Councillors

Y Gordon (Chair) J Ball (Vice-Chair), L Brett, D Crawford, P Driscoll, M Rice, C Summers, C Anderson, P Knewstub, I Nijhar, C Tighe, B Hashani, A Kelly, I Kingston and A Young

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Kumar, Alexander, Dhindsa and Haili.

The following Councillors were present as substitutes:

- Councillor Young for Councillor Kumar
- Councillor Kelly for Councillor Alexander
- Councillor Kingston for Councillor Dhindsa
- Councillor Hashani for Councillor Haili

2 Declarations of Interest

Councillor D Crawford declared that he had sat on the Regulatory Committee that determined the Village Green Application for Warren Farm; and that he was a sports journalist, season ticket holder for Fulham Football Club, on the supporters board for Fulham Football Club and a Member of Middlesex Cricket Club. He did not consider these as pecuniary interests so intended to remain in the room when the Warren Farm item was being considered.

Councillor Kelly declared he sat on the Regulatory Committee that determined the Village Green Application for Warren Farm, but did not consider this a pecuniary interest and therefore would remain in the room when the Warren Farm item was being considered.

3 Matters to be considered in private

RESOLVED: That all items be taken in public as proposed.

4 Minutes of the meeting held on 12 January 2023

RESOLVED: That the minutes of the meeting held on xxx are agreed as a correct record of proceedings.

5 Call-in: The Future of Warren Farm Sports Ground

Councillor Malcolm presented the reasons the decision had been called in to Overview and Scrutiny Committee. The results of the consultation showed that residents overwhelmingly didn't want a sports pitch on the site. Any additional need identified in the borough through the sports strategy could be met at other sites. It was likely any planning application would receive an objection from Natural England due to harm to the species on the site. It was clear that developing the site was against the Cabinet's own policies and if the Council's decision was Judicially Reviewed it would be extremely costly for the Council to defend in court. Any money spent on defending a judicial review would be better spent helping residents in Southall.

Dr Sean McCormack and Dr Mark Spencer spoke in favour of the call in. Reasons for supporting the call in included that the site was as priority habitat and that placing sports pitches on the site would destroy the habitat and the species who lived there, most notably Skylarks; developing the site would breach the Council's biodiversity action plan; any additional land sought from Imperial College would not mitigate loss of already re-wilded land; and a long list of wildlife charities and conservationists were against development on the site.

Councillor Deirdre Costigan, Deputy Leader of the Council and Cabinet Member for Climate Action, responded to the issues raised by the call-in:

- The decision taken by Cabinet was to undertake a feasibility study on the site. This was not a commitment to develop the site but to understand what could be developed there.
- The Sports Strategy had identified an additional need for sports pitches in the borough and health inequalities data showed that 2 in 5 people in Southall undertook less than 30 minutes per week of physical activity. The report was clear that this was the right site in order to try to tackle some of the health inequalities in Southall.
- Surveys of local clubs showed there was demand for football and cricket in the borough which was not being met.
- Local people were consulted, and they made it clear they wanted a nature reserve on the site. The feasibility study due to be undertaken would consider whether it would be feasible to deliver a nature reserve and sports provision on the site. Local people had asked for a nature reserve and this was what was being delivered.

Following the presentations, the Committee asked the following questions of the Cabinet Member:

- What was the process for making Warren Farm a Local Nature Reserve?
- Would the feasibility study consider whether the site would be able to

- provide sports provision without damaging the ecology of the site?
- Was there enough information already available about the species and habitats currently living on the site?
- Would it be possible to negotiate to use the Imperial College land for Sport instead of the already re-wilded Warren Farm site?
- Would transport and equalities be considered as part of the feasibility study, as current transport links weren't great for the site and there were existing inequalities around women's sport.
- What kind of sporting partners would the Council be looking to bring onto the site?

Councillor Costigan provided the following responses to questions asked:

- The remaining site, once the feasibility of sporting provision had been fully considered, would be designated as a local nature reserve. However the three meadows surrounding the site and Imperial College land would also be part of the designated local nature reserve. In order to make the site a local nature reserve, local groups and residents needed to agree the management plan and this had to be agreed by Natural England.
- 62% of the site was already due to become a local nature reserve; however the feasibility study will consider the remaining 38%. An ecological assessment would be carried out as part of any feasibility studies.
- Ecological studies would need to take place as part of any feasibility work to understand what species were already living on the site.
- Imperial College were keen to be involved in re-wilding and not sports provision, however this could always be revisited and discussed with Imperial College.
- Transport and Equalities would form part of any feasibility study.
- An example of a sporting partner might be a club like the London Tigers, who were based in Southall.

Following the presentations, the Cabinet Member left the room and the Committee debated the merits of the call-in. The Committee felt that this wasn't a clear win-win, whatever decision was taken there would be some residents that would be upset. The site had historically been a sports ground and there was a clear need for sports ground provision in the borough. On the other hand, developing on the site would cause a loss to the re-wilded area, and it wasn't clear whether the additional land secured for the nature reserve would mitigate the loss of the land already re-wilded. The argument as to whether the decision could be judicially reviewed wasn't valid as any decision could be judicially reviewed and this would be an argument against taking any difficult or controversial decisions. However there were a couple of issues that needed to be understood further as part of any feasibility study before any final decision were taken. These were whether sports provision could be made on the Imperial College Land instead, and that a full habitat and ecological survey needed to take place to understand the impact of development on the site before any decision was taken.

After the debate, a vote was taken and it was

RESOLVED: That

1. The decision be upheld.
2. Cabinet is recommended to undertake an ecological and habitat survey of the whole site as part of the feasibility study.
3. Cabinet is recommended to engage with Imperial College in order to reconsider whether the proposed sports facilities can be located on their land rather than on the Warren Farm site.

6 2023-24 Budget Strategy

Emily Hill, Strategic Director of Resources, and Councillor Steve Donnelly, Cabinet Member for Inclusive Economy presented the 2023-24 Budget Strategy.

The Committee heard that 2022-23 had been a difficult time due to turbulent economic times and instability within central government. This meant that setting a balanced budget became an even more difficult task than in previous years as a lot of the economic assumptions and assumptions around grants and settlements were unclear until a very late stage in the budget setting process.

Inflation had caused the Council problems over the previous year, however the budget gap had been closed through a combination of confirmation of final grant settlements from central government, an increase in the Council Tax base, business rates rebates, the increase in Council Tax and Adult Social Care Precept and the concessionary fares rebate.

The Council was still in the lower range compared to neighbour authorities in terms of financial resilience and the events of the last 12 months had demonstrated the importance of having adequate reserves. Therefore it was proposed that further funds be transferred to reserves in 2023/24 to protect the Council against potential financial shocks in the future.

Increases in fees and charges were made following the principal of matching inflation or in accordance to any service reviews. Any fees and charges changes made by the Council had to have an Equalities Analysis Assessment to demonstrate the Council had considered the impact on equalities.

Council Tax was proposed to be increased by 2% and the Social Care Precept was proposed to be increased by 2.99%. These were the maximum amounts allowed without holding a referendum, and the government's own assessments of Council spending power worked with the assumption that all

authorities would raise both Council Tax and the Adult Social Care Precept by the maximum figure.

Following the presentation from the Cabinet Member and Strategic Director, the Committee asked the following questions:

- As around 50% of all funds spent by the Council were on social care, what would the Council be doing to ensure it had in place adequate care services for a growing and aging population?
- What was the overall impact of the Council adopting the London Living Wage on the budget?
- How hard had the last 13 years of austerity, coupled with uncertainty in financial markets, volatility in central government and higher than expected inflation, made the job of setting the budget?
- The Council had a high amount of borrowing from the Public Works Loan Board, what risk was there with this borrowing?
- How confident were the Officer and Cabinet Member that the additional Discretionary Council Tax Support fund would be spent? Would it not be more efficient use of resources to issue a greater grant to those already in receipt of Council Tax Support?

In response to the questions asked, it was clarified that:

- Any transformation of social care was difficult as it had been impacted by COVID, as the service was still recovering. There was the added challenge of dealing with discharges from the NHS to ensure their post Covid backlog could also be managed. Care at home was clearly better and lower cost than residential care and transformation programmes for these Council services recognised this.
- London Living Wage accreditation was a priority for this and the previous administration. One of the key difficulties was ensuring contractors paid the London Living Wage, as this included carers working in care homes as well as domiciliary care. One of the changes due to the surge in inflation and labour market difficulties was that many of the providers for these services have had to increase their wages to attract and retain staff so this had helped the Council improve its compliance with paying the London Living Wage. In terms of social impact of this commitment, the report did not contain figures as it was a budget report, but some figures could be provided in the future.
- This year had been more difficult than previous years but the main thing hampering longer term planning was that the Council was required to have a Medium Term Financial Strategy, but as settlements from Central Government have been on a yearly basis over the last few years the MTFs, which should be used to build future budgets,

was lacking in most of the key details required. The new Secretary of State had committed to providing more certainty for the future, and had already announced that Council Tax and Social Care Precept would be allowed to be raised by up to 4.99% next year without holding a referendum.

- The borrowing from the Public Works Loan Board was low risk as it was borrowed while interest rates were low and were long term borrowing. As the borrowing was related to infrastructure and housing projects that did not yet require the full sum of borrowing, some of this money had been temporarily re-invested and as interest rates had now increased this was generating the Council a return on this money.
- Due to pressures on the cost of living it was almost certain the funds in the Discretionary Council Tax Support scheme would be spent. Increasing other grants was considered, but it was felt a more flexible scheme that could be tailored to an individual's circumstances.

The Committee thanked the Officers and Cabinet Member for their hard work in preparing the budget. It was recognised that there were special difficulties faced this year, and the hard work to rise to these challenges was commended.

RESOLVED:

That the 2023-24 budget strategy be noted.

7 Overview and Scrutiny Committee Work Programme

Meeting commenced: 7.00 pm

Meeting finished: 10.07 pm

Signed:

Dated: Thursday, 16 March 2023

Y Gordon (Chair)