

Overview and Scrutiny Committee Annual Report 2022/23



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Acknowledgements

I am pleased to present this year's Overview and Scrutiny Annual Report, which contains information about the Committee's activity over the past year.

It has been a demanding year for the Council which continues to face challenges in delivering services to the residents of South Derbyshire. The Overview and Scrutiny Committee has been tasked with analysing and monitoring services in order to provide constructive feedback to increase efficiency as well as, where possible, reduce costs.

This Annual Report demonstrates the wide range of issues that have been considered within the scrutiny process and providing committee members the opportunity to select areas to review. It has also been noted that the Overview and Scrutiny Committee's interest in a number of work programme areas has inspired action aimed at improving key services elsewhere in the Council's democratic structure.

The Overview and Scrutiny Committee recognises and appreciates the valuable contributions that Elected Members, Officers and representatives of organisations have made towards its work, and acknowledges that without this support and co-operation, it could not fulfil its aim to improve services for the benefit of South Derbyshire residents.

Councillor Sean Bambrick
Chair of the Overview & Scrutiny Committee

1. **Background**

1.1 **Purpose of the Report**

This is the Annual Report to Council from Overview and Scrutiny, as required by Article 6 of the Council's Constitution.

Overview and Scrutiny plays an important part in local government decision-making and is a principal way of achieving open, democratic accountability for the provision of public services. The aim of Overview and Scrutiny is to improve public services and quality of life for local residents. Its main value is in holding the Council and other service providers to account, monitoring performance and in its capacity to inform and influence the actions of the Council and its partners. Overview and Scrutiny is a legal requirement, introduced by the Local Government Act 2000, extended in later legislation, and consolidated in the Localism Act of 2011. Overview and Scrutiny allows Councillors to examine, question and evaluate various functions of the Council and other providers of public services on behalf of the public in an open and effective way.

The report outlines how the Overview and Scrutiny Committee has discharged its functions during the municipal year 2022/23 and details the current position and outcomes of its activities.

1.2 **Composition of Overview and Scrutiny Committee**

From May 2022 until September 2022, the Committee consisted of eight Members: three Members of the Labour Group, four Members of the Conservative Group and one Member of the Independent Group in accordance with the political balance of the Council.

For the period of May 2022 to September 2022, the following Members were appointed to the Committee:

Labour Group

Councillor Bambrick (Chair), Councillor Stuart (Vice-Chair) and Councillor Gee.

Conservative Group

Councillor Atkin, Councillor Hewlett, Councillor Muller and Councillor Smith.

Independent Group

Councillor MacPherson

From October 2022 until November 2022, the Committee consisted of eight Members: four Members of the Labour Group and four Members of the Conservative Group in accordance with the political balance of the Council.

For the period of October 2022, the following Members were appointed to the Committee:

Labour Group

Councillor Bambrick (Chair), Councillor Stuart (Vice-Chair)
Councillor Gee and Councillor L Mulgrew.

Conservative Group

Councillor Atkin, Councillor Corbin, Councillor Hewlett and Councillor Muller.

From November 2022 until May 2023, the Committee consisted of eight Members: four Members of the Labour Group and four Members of the Conservative Group in accordance with the political balance of the Council.

For the period of November 2022 to May 2023, the following Members were appointed to the Committee:

Labour Group

Councillor Bambrick (Chair), Councillor Stuart Councillor (Vice-Chair) and
Councillor Gee and Councillor L Mulgrew

Conservative Group

Councillors Ackroyd, Councillor Atkin, Councillor Hewlett and Councillor Muller.

1.3 Main Purposes of Overview and Scrutiny Committee

The main purposes of the Committee are as follows:

- (a) Write reports and/or make recommendations to Council, Policy Committees or Area Forums in connection with the formulation of policy and the discharge of any functions.
- (b) Consider any matter affecting the District or its residents.
- (c) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (d) Exercise the Call-In procedure in respect of decisions made, but not yet implemented, by any Policy Committee or Area Forum.
- (e) Oversee the appropriate processes and report findings to the relevant Policy Committee.

1.4 Functions of Overview and Scrutiny Committee

- (a) Holding the Council and its statutory partners to account in the public interest, enabling transparent and effective decision-making. This includes the power to 'call-in' a decision made by any policy committee that has not yet been implemented. (See 1.6)

- (b) Supporting effective policies and initiatives, which have a beneficial impact on the community through policy review and development.
- (c) Contributing to continuous improvement in services through monitoring quarterly departmental performance reports and the implementation of improvement plans.
- (d) Having a positive impact on the work and outcomes of external agencies and providers of public services.
- (e) Aiding Councillors in engaging with their communities and playing the role of community representatives and leaders.

1.5 Meetings

The Overview and Scrutiny Committee usually meets every six weeks, on Wednesday evenings at the Council's Civic Offices. In order to engage on a more direct level with residents, meetings can also be taken out into the community. Meetings are held in Open session unless there are Exempt items for consideration by the Committee. Additional task groups can be set-up to undertake work on the Committee's behalf, which usually happens when there is a need to review a topic in greater depth.

1.6 Call-In of Policy Committee Decisions

The Overview and Scrutiny Committee has the power to determine 'call-in' requests of any policy committee decision made but not implemented. During the year 2022/23 the Committee was not required to deal with any 'called in' decisions or requests from Policy Committees for specific investigations.

1.7 Member Requests

Any Member of the Council is able to request an item, relevant to the functions of the Committee, to be included in the Work Programme for review. During the 2022/23 municipal year the Chair and Members requested that an area of the budget be added to the Work Programme.

2. Specific Areas of Activity

2.1 The Annual Report

In April 2023, the Chair and Vice-Chair considered the draft Annual Report for the 2022/23 municipal year, which looks at each of the priorities in turn and provides an overview of some of the outcomes achieved by the Committee and how it has discharged its function throughout the year.

2.2 Setting the Committee Work Programme

In August 2022 the Committee outlined suggestions and agreed possible issues to form the basis of its Work Programme during the remainder of the municipal year. Members considered a range of potential areas for the Committee to review and the specific focus of their attention.

The key areas identified were:

- (a) Regulation of Investigatory Powers Act (RIPA) 2000
- (b) Housing Repairs and Maintenance Contractor
- (c) Housing Re-Lets and Void Properties
- (d) Digital Derbyshire
- (e) East Midlands Airport Update
- (f) Overview of the Public Realm Works in Swadlincote Town Centre and Leisure Provisions in Swadlincote
- (g) Planning Service Delivery Update
- (h) Flexible Working Policy Review
- (i) Agency Costs and Vacant Posts
- (j) GP Surgeries / Appointments
- (k) Land Charges
- (l) Budget

A short summary of the Committee's work during the year is set out below.

(a) Regulation of Investigatory Powers Act 2000 (RIPA)

The Committee has a standing function to monitor the Council's use of Regulation of Investigatory Powers (RIPA) on a quarterly basis, following the Council's Inspection by the Office of Surveillance Commissioners. The Committee noted the Council's use of Regulation of Investigatory Powers Act 2000 Policy and Guidance during the municipal year 2022/23

(b) Housing Repairs and Maintenance Contractor

In October 2022 Novus representatives made a presentation to the Committee on performance, contract information and customer satisfaction reports. The Committee received the information and followed up with questions for the representatives. Members requested additional information regarding complaints.

(c) Housing Re-Lets and Void Properties

The Head of Housing presented the report highlighting the forward plan for empty properties and the targets for re-letting each property and issues that had contributed to delays in the reletting of properties.

Members enquired about common reasons why tenancies were terminated, waiting list times, the demand for each type of property and alternative housing available for people on the waiting list. The Head of Housing informed the Committee that the main reasons tenancies were terminated were due to the

death of the occupant, downsizing and tenants moving into alternative supported accommodation. It was noted that waiting list were being managed in accordance with preference of housing type and location.

Members sought clarity about the re-letting plan and how the Council compared with other authorities, the Right to Buy scheme and valuations, staffing levels in the Housing team and energy saving improvements.

The Head of Housing advised the Committee that the re-letting plan would be shared with Members. It was noted that other authorities had better results, however, circumstances were different and in the case of North-West Leicestershire for different local authorities. The Head of Housing informed the Committee that properties sold through the Right to Buy scheme were valued by independent Estate Agents and that there were approximately 20 applications per year. The Committee was also advised that the staffing situation was improving with project inspectors and a Fire and Building Safety person being recruited for the Repairs team and that energy saving improvements were undertaken whilst the tenant was in-situ.

(d) Digital Derbyshire

The Chief Executive attended the 15 June meeting and addressed the Committee and advised that the Strategic Director (Corporate Resources) had made contact with the County Council and invited Digital Derbyshire to attend a Committee meeting to update Members.

(e) East Midlands Airport Update

In November 2022 representatives from East Midland's Airport attended a Committee meeting and delivered a presentation that included, the economic activity of the airport, community engagement and consultation, the impact of Covid-19, the Noise Action Plan 2019-2023 and sound installation grants/schemes.

Members raised questions regarding flight volumes compared to pre-Covid 19, business plans in relation to the Freeport, consultation with communities, night flights and noise monitoring.

It was confirmed that flight volumes compared to pre pandemic were at 40% for passenger flights and freight had increased, that the Sustainable Development Plan projections would be reviewed in relation to the Freeport but it was too early to say how the volume of night flights would increase, that consultation is carried out via the Airport's website and regular community work and that mobile noise monitors were used to monitor noise in various locations.

(f) Overview of the Public Realm Works in Swadlincote Town Centre and Leisure Provisions in Swadlincote

The Chief Executive attended the 15 June 2022 and the 31 August 2022 meetings and delivered verbal updates outlining timelines and the works to be carried out in Swadlincote Town Centre.

At the 15 June 2022 Committee meeting the Head of Property Services shared an artist's impression of proposed improvements for the Market Hall on Midland Road and outlined the key changes and noted that the expected completion date for improvement works to be spring 2023.

(g) Planning Service Delivery Update

The Committee was informed that the Planning Service Delivery Update was subject to reports presented at Environmental and Community Services on 10 November 2022 and Finance and Management Committee on 24 November 2022.

(h) Flexible Working Policy Review

The Committee was informed that the Flexible Working Policy Review was subject to a report presented at Finance and Management Committee on 12 January 2023.

(i) Agency Costs and Vacant Posts

In January 2023 the Strategic Director (Corporate Resources) presented the report to the Committee indicating that the position shown was in September 2022 and that the latest figures for December 2022 were that vacant posts had reduced from 70 to 61 and the number of agency staff was down from 57 to 55.

Members queried if any posts were shared with other authorities and if there was a general trend in staffing levels among other authorities, and if salary levels were benchmarked with other councils and the private sector.

The Strategic Director (Corporate Resources) informed the Committee that a shared service existed with Lichfield District Council for Land Charges, that there was a general shortage of personnel in the public sector and that salary levels were compared with other authorities including unitary authorities, private companies and housing associations, noting that other terms and conditions were also taken into consideration such as flexible working.

(j) GP Surgeries / Appointments

The Committee was advised that contact had been made with the local Health Service and invited a representative to attend a Committee meeting.

(k) Land Charges

The Chief Executive attended the 15 June 2022 and 31 August 2022 meeting and gave a verbal update, regarding progress and noted that funding had been received to assist with recruitment costs and that a task force would be put in place to complete the work required for the transfer of Land Charges.

(I) Budget

The Strategic Director (Corporate Resources) presented the report to the Committee giving an overview of the budgets for 2023-24 and outlined the proposed Council Tax levels and rent increase were outlined.

The Strategic Director (Corporate Resources) summarised cost pressures and mitigation measures and updated the Committee regarding the Medium-Term Financial Plan.

Members raised queries regarding investments, pension contributions, and asset reduction. The Strategic Director informed the Committee that interest accrued was used to offset debts and that the Council strived to get the best return on investments and invested as safely as it could. The Strategic Director informed the Committee that the pension fund was independently revalued every 3 years. It was explained that asset reduction had been considered and many assets had been passed across to Parishes which reduced liabilities for the Council.

3 Challenges for 2023-24

- To build on, and update, the achievements of Overview and Scrutiny.
- To ensure that Overview and Scrutiny continues to make a positive contribution to the development of policy and the continuous improvement of the Council's operations.
- To continue to ensure the Overview and Scrutiny work programme reflects concerns of service users, community and the public.
- To continue to ensure Overview and Scrutiny works with the community and key partners to respond to local concerns.
- To continue to ensure that the work of Overview and Scrutiny has a positive effect on decision-makers and provides evidence that it has made a real difference.
- To ensure Overview and Scrutiny takes a more active, appropriate role in respect of the work of the Policy Committees and their decisions.
- To balance the focus of the Overview and Scrutiny Committee both inward on existing and proposed Council services, and outward to other areas of the community and partner organisations.
- To build on the existing scoping procedure to make it more robust, to ensure the original scope is used as a point of reference for each work programme item and a tool to measure progress and the value being added by the committee as it completes its work.