



**South  
Derbyshire**  
District Council

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# **Overview and Scrutiny Annual Report 2015/16**

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## Acknowledgment

I am pleased to present this year's Overview and Scrutiny Annual Report, the report contains information about the key scrutiny activity over the past year

It has been a challenging year for the Council and also for scrutiny. The Council continues to face the challenge of delivering services to the people in South Derbyshire with less and less money and our Councillors involved with scrutiny had been tasked with analysing this work, its outcomes and providing constructive challenge.

As this Annual Report shows, a wide range of issues has been considered within the scrutiny process and this has given committee members the opportunity to be part of a forward-looking council that allows Scrutiny total freedom to monitor and review any issues it judges appropriate. This year has taken Scrutiny and Section 106 Contributions and Domiciliary Dental Provision into the community giving residents a chance to put questions to representatives from the Clinical Commissioning Group and NHS England about their local situation.

I would like to take this opportunity to thank in particular my Vice-Chair Councillor Stuart Swann, Kevin Stackhouse, Tony Sylvester, Tove Cecilia Lindgren and Chris Tyler for their invaluable support. I would also like to extend my thanks to everyone who attended or contributed to overview and scrutiny over the year. 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.

*Cllr. Mrs. Farrington*

Councillor Mrs Gillian Farrington  
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 (O & S) plays an important and active part in local government's decision-making process and is a principal way of achieving open, democratic accountability for the provision of public services. The aim of O & S 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. O & S is a legal requirement, which was introduced by the Local Government Act 2000; it was extended in later legislation, and was consolidated in the Localism Act of 2011. O & S 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 2015/16 and details the current position and outcomes of its activities.

## 1.2 Overview and Scrutiny has five broad functions:

1. Holding the Council and its statutory partners to account in the public interest. This enables more transparent and effective decision making. This includes the power to 'call-in' a decision made by one of the policy committees that has not yet been implemented.
2. Supporting effective policies and initiatives which have a beneficial impact on the community through policy review and development.

3. Contributing to continuous improvement in services through monitoring quarterly departmental performance reports and the implementation of improvement plans.
4. Having a positive impact on the work and outcomes of external agencies and Providers of public services.
5. Aiding Councillors in engaging with their communities and playing the role of community representatives and leaders.

### **1.3 Composition of Overview and Scrutiny Committee**

The Committee consists of eight Members, being five Members of the Conservative Group and three Members of the Labour Group in accordance with the political balance of the Council. For 2015/16, the following Members were appointed to the Committee:-

#### **Conservative Group**

Councillor Mrs. Farrington (Chair), Councillor Swann (Vice-Chair), Councillor Atkin, Councillor Mrs. Coe and Councillor Mrs. Patten

#### **Labour Group**

Councillor Bambrick, Councillor Dr. Pearson and Councillor Mrs. Stuart.

### **1.4 Main Purposes of 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 Best Value process and report findings to the relevant Policy Committee.

### **1.5 Meetings**

The Overview and Scrutiny Committee usually meets every six weeks, on Wednesday evenings at the Council's Civic Offices, however when the needs arises to engage on a more direct level with the community, meetings have taken place across the district. 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 their behalf, this 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 2015/16, the Committee was not required to deal with any 'called in' decisions or requests from Policy Committees for specific investigations. This meant that the Committee was able to focus on the coordination of work across the overview and scrutiny function within the Council and the wider community.

## 2. Specific Areas of Activity and Achievements

### 2.1 The Annual Report

In March 2016, the Committee considered the draft Annual Report for the 2015/16 Local Government 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

### 2.2 Setting the Committee Work Programme

The Committee held a workshop in June 2015 outlining suggestions on how the Committee might identify and agree possible issues to form the basis of its Work Programme during the new Local Government Year. Members considered a range of possible topics for the Committee to consider, the Councillors responsible for each initial scoping exercise and in particular, what lines of enquiry they would like to cover. The key issues that the Committee looked at were:

- Section 106 Health Based NHS Contributions
- NHS Domiciliary Dental Service Provision
- Fibre-Optic Works by Sky
- Regulation of Investigatory Powers Act (RIPA) 2000
- Cemetery Provision
- Electoral Services
- Festival of Leisure
- Community Grant fund Process
- Housing Revenue Account Budget (HRA) 2015/16
- The Budget 2016/17
- Council Tax Arrears
- Work Programme 2016/17

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

## **Section 106 Health Based NHS Contributions**

A substantial piece of work took place around Section 106 Contributions once the Committee had been made aware that there were a significant sum of Section 106 monies still with the CCG (Clinical Commissioning Group), though grants had already been allocated to specific local projects, few payments had been made. The Committee invited representatives from the Council's Planning Department

and the Clinical Commissioning Group to attend four public meetings around the district, each session detailing the background of Section 106 NHS contributions followed by a Questions & Answers (Q & A's) session involving both Committee Members and Members of the Public. The Committee resolved that the work undertaken in partnership with the Planning Department and Clinical Commissioning Group had made great progress, and allocated funds were in the process of being dispersed accordingly.

## **General Dental Provision and Domiciliary Dental Provision in South Derbyshire**

When the report on local dentistry provision was initially conveyed to Committee to provide information on why there had been no local commissioning since 2006, it became evident that the facility for domiciliary dental care for the elderly and infirm was minimal. The Committee resolved that they would invite representatives from the NHS England to attend two Committee meetings and a Public Meeting to answer questions and get clarification on why these issues faced South Derbyshire and in particular, no local commissioning or future plans for domiciliary care. The Committee was satisfied that the information provided was up to date, had been looked into in detail and that Section 106 NHS contributions were not designated to dental provision.



### **Ultrafast Broadband Trial by Sky**

This item had been added to the Work Programme as several Members of the Committee had received grave concerns and complaints by residents particularly in the Midway and Woodville wards, regarding the Ultrafast Fibre-Optic Broadband trial taking place. Following this, a meeting with senior representatives from Sky had been arranged, to ensure all concerns, which had been raised were looked into and could be fed back to residents. Sky assured the Committee that future correspondence to residents would be re-designed and that they would call upon local Councillors to aid the marketing team in doing so. Sky agreed to endeavour to attend meetings such as Parish Councils and Area Forums in order to inform residents and local Councillors of upcoming work taking place in their wards. Sky also agreed that they would endeavour to notify local Councils at the same time as they notify the County Council of upcoming work.

### **Cemetery Provision**

The Committee initially became involved in 2015 with regards to cemetery provision in South Derbyshire, in particular the reduction in cemetery space in the urban core and Gresley cemetery. An audit of Parish Councils provision, had been undertaken to assist in the consideration of the future cemetery needs of the district, and If it was determined that South Derbyshire District Council (SDDC) needed to build a new burial site, the Committee would be involved in how to find a new site, how to finance it and also how to manage it. A task group had been set up to carry on the work into 2016/17.

### **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 was satisfied the Council's use of Regulation of Investigatory Powers Act 2000 Policy and Guidance during the municipal year 2015/16 had been carried out according to the Act of 2000.

## **Electoral Services**

The Committee requested the opportunity to scrutinise in detail, the procedures of the electoral services, following the recent move to Individual Electoral Registration (IER), and the departmental restructuring, as continued resilience was crucial in a fast growing area such as South Derbyshire. The Chief Executive presented a report to Committee on the revised structure of the Electoral Services section, and ensured Members that the Council could continue to effectively administer the Electoral Service.

## **Festival of Leisure**

This item had been requested to appear on the Work programme as Members of the Committee felt that the original direction of the festival as a community event had changed over the last couple of years, and was now looked upon as a commercial event. The Committee invited the Director of Community & Planning Services and Officers from the Marketing & Events team to do a presentation on the background, breakdown and development of the Festival, and answer questions regarding the scrutiny process of sealed bids, the allocation and cost of stalls, in particular relating to local and charity groups. The Committee was satisfied with the process which the Festival of Leisure had been put through, and that local groups and charities had been given the opportunity to attend the event at reduced prices or at no cost.

## **Community Grant Fund Process**

This item had been added to the Work programme as Members of the Committee questioned the current process by the District Council, in particular for smaller organisations, in providing funding advice and support to non-profit local developing projects. The Committee resolved that Members would work with the Community Partnership Manager in reviewing the process of smaller grants.

## **Housing Revenue Account Budget (HRA) 2015/16**

The Committee had a specific role to assist the Finance and Management Committee with the Business Plan for the Housing Revenue Account budget (HRA) and subjected it to a detailed review of future capital investment plans to ensure that the HRA could meet commitments for debt repayment and maintain a minimum working balance in accordance with the Financial Strategy. The Committee was satisfied with the work undertaken and the outcome of the HRA review.

## **The Budget 2016/17**

The Committee had a specific role to assist the Finance and Management Committee to develop the budget proposals. The Committee considered the Budget, the General Fund and Capital at two of its meetings in January and February 2016. Members were also invited to attend policy-setting meetings and Area Forums where detail presentations were given. The Committee was satisfied with the work undertaken and the outcome of the review of the Budget 2016/17.

## **Council Tax Arrears**

Following the Director of Finance and Corporate Services presentation outlining the performance of the Council Tax arrears collection, a task group had been consigned to look into the details of the Council's current tax arrears situation. The task group looked at different ways the Council could encourage residents to pay their Council Tax by Direct Debit. Agreement had been reached that Officers continued to review Council Tax promotional literature and look to good practice guides used by other local councils.

## **Work Programme 2016/17**

The Committee agreed that the following review areas to be included in the work Programme for 2016/17:

- Cemetery Provision
- South Derbyshire Community Health Service

- Recycling
- Street Cleansing

### **3 What are our main Challenges for 2016-2017?**

- To build on, and update, the achievements of Overview & 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 & Scrutiny work programme reflects concerns of service users, community and the public.
- To continue to ensure Overview & Scrutiny works with the community and key partners to respond to local concerns.
- To continue to ensure that the work of Overview & Scrutiny has a positive effect on decision-makers and provide evidence that it has made a real difference.

Chair, Vice-Chair and Members of the Overview and Scrutiny Committee

March 2016



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