



Ardip Sandhu
Monitoring Officer
Executive Director – Law and People
South Derbyshire District Council,
Civic Offices, Civic Way,
Swadlincote, Derbyshire DE11 0AH.

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Date: 04 June 2024

Dear Councillor,

Overview and Scrutiny Committee

A Meeting of the **Overview and Scrutiny Committee** will be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote, DE11 0AH on **Wednesday, 12 June 2024 at 18:00**. You are requested to attend.

Yours faithfully,

A handwritten signature in black ink, appearing to read "A. Sandhu".

Monitoring Officer
Executive Director – Law and People

To: **Labour Group**
Councillor S Bambrick (Chair), Councillor A Jones, (Vice-Chair) and
Councillors M Gee, G Jones and L Mulgrew.

Conservative Group
Councillors N Atkin, A Kirke and D Muller.

AGENDA

Open to Public and Press

- 1** Apologies
- 2** To note any declarations of interest arising from any items on the Agenda
- 3** To receive any questions by members of the public pursuant to Council Procedure Rule No. 10.
- 4** To receive any questions by Members of the Council pursuant to Council Procedure Rule No. 11.
- 5** OVERVIEW AND SCRUTINY SCOPING **3 - 7**
- 6** REQUEST FOR CALL IN **8 - 10**

Exclusion of the Public and Press:

- 7** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 8** To receive any exempt questions by Members of the Council pursuant to Council Procedure Rule No. 11.
- 9** REQUEST FOR CALL IN

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	12 JUNE 2024	CATEGORY: RECOMMENDED
REPORT FROM:	TRACY BINGHAM, EXECUTIVE DIRECTOR – RESOURCES AND TRANSFORMATION	EXEMPT PARAGRAPH NO:
MEMBERS' CONTACT POINT:	TRACY BINGHAM tracy.bingham@southderbyshire.gov.uk	DOC:
SUBJECT:	OVERVIEW AND SCRUTINY SCOPING	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That the Committee consider suggested reviews presented by officers and members of the Council and agree those for inclusion in its work programme for 2024/25.

2.0 Purpose of Report

- 2.1 To outline the process for scoping of review items for consideration by the Overview and Scrutiny Committee.

3.0 Detail

- 3.1 [Article 6](#) of the Constitution sets out the purpose and functions of the Overview and Scrutiny Committee in policy development and review and scrutiny of decisions and performance of the Council and relevant partners.
- 3.2 At the beginning of each municipal year, the Committee is responsible for determining it's work programme. To progress this, officers and members of the Council are requested to attend the meeting of the Overview and Scrutiny Committee on 12 June 2024 to present details of their proposed review.
- 3.3 To facilitate the presentations, the Overview and Scrutiny – Scoping Document 2024/25, attached at **Appendix 1** has been provided to officers and members of the Council. This document asks a series of questions to enable a review to be effectively defined and the appropriate resources committed by the Council and/or its partners, as relevant.

4.0 Financial Implications

- 4.1 There are no direct financial implications as a result of this report.

5.0 Corporate Implications

5.1 Effective Scrutiny makes a direct contribution to the achievement of all themes in the forthcoming 2024-2028 Council Plan.

Employment Implications

5.2 There are no employment implications arising as a result of this report..

Legal Implications

5.3 There are no direct legal implications arising as a result of this report.

Risk Impact

5.4 Effective Scrutiny makes a direct contribution to the identification, management and mitigation of risk.

6.0 Conclusions

6.1 Members of the Committee should note the process outlined in this report and develop their proposals for review.

7.0 Background Papers

7.1 Article 6 of the Council's Constitution: [Article 6](#)

Overview and Scrutiny – Scoping Document 2024/25

<p>Title of proposed review</p>	
<p>What is the purpose of the review?</p> <ul style="list-style-type: none"> • Specify exactly what the review is looking at • Also being clear what the review is not looking at • What is the Scrutiny Review seeking to achieve? • Are there specific VFM issues around service cost, service performance and/or customer satisfaction? 	
<p>What are the Criteria for Selection?</p> <ul style="list-style-type: none"> • Why is this topic considered to be a priority issue for scrutiny? 	
<p>Why now?</p>	
<p>What are the Indicators of Success?</p> <ul style="list-style-type: none"> • What factors / outcomes will demonstrate that this Scrutiny Review has been a success? 	

<p>What Methodology / Approach is to be followed?</p> <ul style="list-style-type: none"> • What types of enquiry will be used to gather evidence? <p>NB, approach is likely to involve the consideration of the regulatory/governance landscape, evidence, direct representation(s), and review of financial, performance and risk data.</p>	
<p>Are there/could there be any resource and/or budget requirements?</p> <p>What support is required for the review exercise?</p> <ul style="list-style-type: none"> • specialist staff • any external support • site visits • consultation • research 	
<p>Are any Corporate Risks associated with this Review?</p> <p>Identify any weaknesses and barriers to success</p>	
<p>Who will receive the review conclusions and any resultant recommendations?</p>	

<p>What is the Review Timescale?</p> <ul style="list-style-type: none"> Identify key meeting dates and any deadlines for reports or decisions. 	
<p>Which Policy Committee(s) does it relate to?</p>	
<p>Who are the key stakeholders / consultees?</p> <p>Identify any key stakeholder groups, such as residents, businesses, tenants, voluntary sector, partners etc</p>	
<p>Who will lead the Review Exercise?</p> <ul style="list-style-type: none"> Identify a nominated: <ul style="list-style-type: none"> - Elected Member - Lead Officer 	
<p>Media Interest / Publicity</p> <ul style="list-style-type: none"> Is there a need for a Communications Plan? Do we need to publicise the review to encourage community involvement? 	
<p>Completed by:</p>	
<p>Date:</p>	
<p>Approved by Scrutiny Committee Date:</p>	

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	12 JUNE 2024	CATEGORY: RECOMMENDED
REPORT FROM:	EXECUTIVE DIRECTOR – LAW AND PEOPLE	OPEN
MEMBERS' CONTACT POINT:	ARDIP SANDHU Ardip.Sandhu@southderbyshire.gov.uk	DOC:
SUBJECT:	REQUEST FOR CALL IN	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 That Committee consider the request for Call In of the decision made at the Environmental and Development Services Committee on 30 May 2024, relating to the item titled Planning Services Review.
- 1.2 That Committee defer the item for discussion to agenda item 9, under exempt items and consider resolving as follows.
 - (i) That the matter is referred back to the Environmental and Development Services Committee for reconsideration; or
 - (ii) That the matter is referred to Council.

2.0 Purpose of the Report

- 2.1 For Committee to consider the request for Call In of the decision made by the Environmental and Development Services Committee, relating to the approval of the Planning Services Review.

3.0 Detail

- 3.1 On 30 May 2024 the Environmental and Development Services Committee considered an exempt report relating to the Planning Services Review. Following the meeting the Decision Notice was published on 31 May 2024.
- 3.2 Members of both the Council and the Environmental and Development Services Committee had written to both the Chief Executive and Monitoring Officer of the Council expressing concern around the lack of documentation appended to the Planning Services Review report.
- 3.3 In line with the Overview and Scrutiny Procedure Rules on 6 June a Call In request was made by three Members of the Council.
- 3.4 Members of the Committee are asked to resolve as identified at recommendation 1.2. Where Members consider there is a breach of the principles of decision making the

matter will be referred to the Environmental and Development Services Committee (as the Policy Committee making the decision) for reconsideration of the matter. Where the Committee consider there is a breach of the Budgetary and Policy Framework, the matter will be referred to Council.

4.0 Financial Implications

4.1 There are no direct financial implications arising out of this Call In. However, any delay to implementing the decisions made by the Environmental and Development Committee (for which the financial implications remain subject to approval of the Finance and Management Committee) or changes to those decisions, may have financial implications.

5.0 Corporate Implications

Employment Implications

5.1 None arising directly from this report.

Legal Implications

5.2 The Committee will resolve for reconsideration to the Policy committee where it considers there is breach of the principles of decision making. The Committee will resolve to refer the matter to Council where it is in breach of the Budgetary and policy Framework.

Council Plan Implications

5.3 None.

Risk Impact

5.4 None.

6.0 Community Impact

Consultation

6.1 Not applicable.

Equality and Diversity Impact

6.2 Not applicable.

Social Value Impact

6.3 Not applicable.

Environmental Sustainability

6.4 Not applicable.

7.0 Conclusions

7.1 Call In enables the Overview and Scrutiny Committee to scrutinise decisions before they are implemented. This may lead to a reconsideration of the decision by the relevant Policy Committee.

8.0 Background Papers

Overview and Scrutiny Procedure Rules.