



Overview and Scrutiny Committee Annual Report 2021/22



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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 2020/21 and details the current position and outcomes of its activities.

1.2 **Composition of Overview and Scrutiny Committee**

From May 2021 until June 2021, the Committee consisted of eight Members: three Members of the Labour Group, three Members of the Conservative Group, one Member of the Independent Group and one vacancy in accordance with the political balance of the Council.

For the period of May 2021 to June 2021, 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 and Councillor Smith

Independent Group

Councillor Roberts

For the period of June 2021 to September 2021, 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 and Councillor Patten

Independent Group

Councillor Roberts

From September 2021 until January 2022 the Committee consisted of eight Members: three Members of the Labour Group, three Members of the Conservative Group, one Member of the Independent Group and one Non-Grouped Member, in accordance with the political balance of the Council.

For the period of September 2021 to January 2022, the following Members were appointed to the Committee:

Labour Group

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

Conservative Group

Councillor Atkin, Councillor Hewlett and Councillor Patten

Independent Group

Councillor Roberts

Non-Grouped

Councillor Wheelton

From January 2022 until May 2022, the Committee consisted of eight Members: four Members of the Labour Group, three 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 January 2022 to May 2022, the following Members were appointed to the Committee:

Labour Group

Councillor Bambrick (Chair), Councillor Stuart Councillor (Vice-Chair), Councillor Gee and one vacancy

Conservative Group

Councillor Atkin, Councillor Hewlett and Councillor Patten

Independent Group

Councillor Roberts

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 2021/22 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 2021/22 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 May 2022, the Chair and Vice-Chair considered the draft Annual Report for the 2021/22 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) Internal Audit Review - Review of Scrutiny
- (c) Housing Repairs and Maintenance Contractor
- (d) collaborative Working with Other Authorities
- (e) East Midlands Airport Night Time Policy
- (f) Drs Surgery Provision in South Derbyshire
- (g) Land Charges
- (h) 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 2021/22

(b) Internal Audit Review - Review of Scrutiny

In September 2021 the Strategic Director (Corporate Resources) presented a Report to the Committee. The Chair. noted that Scrutiny training had been offered to all Members of the Council. Members discussed the parameters for the Night Flight Plan at East Midlands Airport and agreed to invite a member of the Airport staff to address the Committee about the airport expansion, freight traffic, new aircraft and the impact to local residents.

(c) Housing Repairs and Maintenance Contractor

Representatives from Novus delivered a presented to the Committee regarding its working partnership with the Council.

(d) Collaborative Working with Other Authorities

In October 2022 the Strategic Director (Corporate Resources) delivered a report to the Committee regarding partnership arrangements with other authorities. Members were content that Heads of Service reviewed the delivery of services and checked the best way to deliver a particular service, be it through in-house, shared services or partnership working and that service delivery would be reviewed by the relevant policy committees and members of those committees had the opportunity to question the use of collaborative working.

(e) East Midlands Airport: Night Time Policy

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) Land Charges

It was agreed that Land Charges would be addressed during the municipal year 2022/23.

(g) Budget

The Strategic Director (Corporate Resources) delivered a presentation to the Committee which included the Budget Report and General MTFP, Base Budget Changes for 2021-23, Housing Revenue Account, Reserves and the proposed rent increase for 2022/23.

Members sought clarification regarding agency costs in relation to Land Charges and changes to the level of reserves. The Strategic Director (Corporate Resources) informed the Committee that agency costs were related to the increased volume of work and that if the level of reserves changed the Council would be advised by the external auditor and it would be addressed at Full Council. The Chair of Overview and Scrutiny agreed to attend Finance and Management Committee to seek further clarification regarding the land charges.

3 Challenges for 2022-23

- 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.