

Overview and Scrutiny Committee Annual Report 2023/24



CONTENTS

Acknowledgement

1. Background
 - 1.1 Purpose of the report
 - 1.2 Composition of the Overview and Scrutiny Committee
 - 1.3 Main Purposes of Overview and Scrutiny Committee
 - 1.4 Functions of Overview and Scrutiny Committee
 - 1.5 Meetings
 - 1.6 Call-In of Policy Committee Decisions
 - 1.7 Member Requests
2. Specific Areas of Activity and Achievements
 - 2.1 The Annual Report
 - 2.2 Setting the Committee Work Programme
3. Challenges for 2024/25

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 2023/24 and details the current position and outcomes of its activities.

1.2 **Composition of Overview and Scrutiny Committee**

From May 2023 until June 2023, the Committee consisted of eight Members: five Members of the Labour Group, two Members of the Conservative Group and one vacancy in accordance with the political balance of the Council.

For the period of May 2023 to June 2023 the following Members were appointed to the Committee:

Labour Group

Councillor S Bambrick (Chair), Councillor M Gee (Vice-Chair),
Councillor A Jones, Councillor G Jones and Councillor L Mulgrew

Conservative Group

Councillor Atkin and Councillor Lowe.

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Councillor A Jones, Councillor G Jones and Councillor L Mulgrew.

Conservative Group

Councillor N Atkin, Councillor A Kirke and Councillor D 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 2023/24 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 2023/24 municipal year the Chair and Members requested that Section 106 Funding Agreement pertaining to education be added to the Work Programme.

2. Specific Areas of Activity

2.1 The Annual Report

In May 2024, the Chair and Vice-Chair considered the draft Annual Report for the 2023/24 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 June 2023 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) Budget Setting Approach 2024/25
- (d) Section 106 Agreement Funding
- (e) Housing Re-Lets and Void Properties - Update
- (f) East Midlands Airport Update
- (g) Community Buildings
- (h) Consolidated Draft Budget 24/25 and Medium Term Financial Plan

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 2023/24

(a) Housing Repairs and Maintenance Contractor

In February 2024 the Interim Head of Housing provided a verbal update of the Housing Repairs and Maintenance Contractor and noted the importance of retaining knowledge and leadership in the department. The Committee was updated regarding the Housing Revenue Account and current and future housing stock.

(b) Budget Setting Approach 2024/25

In October 2023 the Head of Finance presented a report to the Committee outlining the key principles of the new approach and highlighted that it would be service led budgets to help Members make decisions and reduce the number of ad-hoc requests.

(c) Section 106 Funding Agreement

In August 2023 the Committee requested that the Section 106 Funds report cover the expenditure of funds by third parties and that colleagues from health should be invited to the meeting to cover the obstacles to spending funds.

In October 2023 the Head of Planning and Strategic Housing presented a report to the Committee and two representative of the Integrated Care Board attended the meeting.

Members raised queries regarding many aspects of the Integrated Care Board's policies and procedures.

The Committee was advised by the representatives how Section 106 Agreement Funding could be used by General Practitioners to invest in buildings, refurbishment, extensions some equipment and consumables. The Committee was informed that there was a formula for calculating the number of residents that each practice could accommodate and explained that satellite sites were becoming difficult to staff. The representatives explained that when Section 106 Agreement Funding for Healthcare provision had been allocated it would be included in the Local Plan and the General Practitioner would engage with architects to design buildings based on a calculation which determined the amount of space required.

(d) Housing Re-Lets and Void Properties

The Head of Housing presented a verbal update in August 2023. highlighting the progress since the start of a second contractor in April 2023.

Members raised queries regarding guidance for refugees and asylum seekers, the length of the contract for the repairs contractor, the database records, apprenticeships, the status of difficult to let properties and issues with mould and asbestos.

The Head of Housing informed the Committee that the Council was awaiting advice from the government regarding refugees leaving hotel accommodation. The Committee was advised mould in empty properties was easy to spot and that damp proof courses would be installed in many properties. Asbestos was covered by a new regulation framework which included checks for gas and asbestos.

The Committee was informed that the Housing database system had to comply with the Housing Regulator on all levels. The contract length for the second contractor company had been extended for three years. There would be opportunities for two property support apprentices plus work experience for locally based young people.

The Head of Housing informed the Committee that hard to let properties included properties identified for older people which were not fit the necessary requirements such as those with second floors.

In February 2024 the Asset and Improvement Manager provided an update on the status of Void Properties in the District and confirmed that a full report would be presented to the Housing and Community Services Committee on 07 March 2024.

(e) East Midlands Airport Update

In April 2024 representatives from East Midland's Airport attended a Committee meeting and delivered a presentation that included, information regarding new UK security regulations, the East Midlands Airport Community Fund, Low Carbon-Energy Fund, the monitoring of where and how aircraft fly, a Noise Action Plan 2024-2028 and a national picture of future airspace.

(f) Community Buildings

This item was deferred to the next cycle of meetings on the 2024/25 Work Programme.

(i) Consolidated Draft Budget 24/25 and Medium Term Financial Plan

The Strategic Director (Corporate Resources) presented the report to the Committee highlighting the forecast for the General Fund, the Housing Revenue Account and the Capital Programme and noted that a final report would be prepared for the Finance and Management Committee on 15 February 2024 before being presented to Full Council on 28 February 2024.

Members sought clarification on several points in the report.

The Strategic Director (Corporate Resources) addressed the points raised by Members that included how budgeting techniques complied with the financial management practices and prescribed best practice code developed in line with the Chartered Institute of Public Finance and Accountancy (CIPFA). It was confirmed that the report indicated the draft position for business rates and that the statutory deadline for setting new rates was the end of January and that there was no concern from the Head of Customer Services regarding staffing levels to cover the collection of Council Tax arrears.

The Strategic Director (Corporate Resources) informed Members that reserves used to close the budget gap would not be used for recurring and that reports for the Fleet Replacement Plan and Concurrent Functions would be presented at future meetings of the Environmental and Development Services and the Finance and Management Committee respectively.

Members requested that improvement costs for Rosliston Forestry Centre be considered for inclusion on the Committee's Work Programme for 2024/25.

In March 2024 the Head of Finance presented a report to the Committee regarding the Medium Term Financial Strategy 2024/25 – 2028/29.

(j) Section 106 Funding Agreement – Education Contributions

Due to the unavailability of representatives from Derbyshire County Council this item was deferred to the next cycle of meetings on the 2024/25 Work Programme.

3 Challenges for 2024-25

- 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.

Chair, Vice-Chair and Members of the Overview and Scrutiny Committee
May 2024

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