

Rother District Council

Report to: Council

Date: 4 May 2021

Title: Annual Report of the Overview and Scrutiny Committee

Report of: Chairman, Councillor Paul Osborne

Recommendation: It be **RESOLVED**: That the report be noted.

Introduction

1. The Local Government Act 2000 states that where councils operate an executive style administration, there must be at least one committee that has the power to review or scrutinise decisions or actions which affect the authority's area or its residents. The Overview and Scrutiny Committee (OSC) acts as a critical friend to the Cabinet (Executive) and other local service providers, helping to monitor performance and develop policies. The OSC also has the power to hold the Cabinet to account by "calling in" decisions before or after they have been taken.
2. The OSC cannot make decisions or policies themselves, but they have the power of influence. They make recommendations informed by partner and public opinions, performance information, examples of best practice and professional advice.
3. In accordance with Article 6, paragraph 6.3. (d) of Rother District Council's (RDC) Constitution, the OSC must report annually to Council on their workings and make recommendations for future work programmes and amend working methods, if appropriate.
4. In compiling this report, consideration has been given to the terms of reference contained within Article 6 of the Constitution and how the OSC has fulfilled its role under these terms.
5. This report covers the period from April 2020 through to the end of March 2021; the report has been prepared before the last scheduled meeting of the OSC for the 2020/21 municipal year has been held.

Scrutiny at Rother

6. Currently, Rother District Council has 38 elected Members who represent the 21 wards within the boundaries of Rother. With 9 Cabinet Members excluded, this enables 29 Members to have the opportunity to be involved in Scrutiny.
7. During the period of this report, 79% of non-Cabinet Members have been involved in Scrutiny either through membership of the Council's Scrutiny Committee or in the Task and Finish Group(s).

Structure of Scrutiny Committees

8. During the period of this report, two Task and Finish Groups have been in operation. In addition to Scrutiny meetings, the Council can have up to four active Task and Finish Groups in place at any one time provided that the same service officers are not being involved in more than one active group at any one time.
9. There are 12 Members appointed on the OSC and they meet formally eight times a year. The OSC is politically balanced in that its make-up reflects that of the Council as a whole and its Chairman and Vice-Chairman are elected annually from amongst its membership.

Overview and Scrutiny Committee

10. The following Members were appointed by Full Council to the OSC in June 2020:

P.N. Osborne (Chairman), Mrs V. Cook (Vice-Chairman), J. Barnes, J.J. Carroll, C.A. Clark, P.C. Courtel, B.J. Drayson (ex-officio), Mrs D.C. Earl-Williams, S.J. Errington, P.J. Gray, C.A. Madeley, C.R. Maynard and M. Mooney.
11. The following substitute Members were appointed to the OSC: S.J. Coleman (Labour), L.M. Langlands (Association of Independents), G.F. Stevens (Conservative) and R. Thomas (Liberal Democrat). In accordance with the system, a formal substitution has not been made during the period covered by this report.
12. The Committee has met remotely, due to the COVID-19 pandemic via the Microsoft Teams Software, seven times between April 2020 and the end of March 2021.
13. Attendance at meetings by Members appointed to the Committee has been good, with an average of 98% of the Committee attending the meetings during the period of this report.
14. The average number of reports on the agenda for each meeting was three and the average length of a meeting was 1 hour and 32 minutes. A total of 126 members of the public were in attendance via the YouTube live broadcast at the seven committee meetings held during the period of this report. Dependent on the business to be considered, the relevant Cabinet Portfolio Holders continued to be invited to attend meetings.
15. Between April 2020 and the end of March 2021, the OSC received reports on a number of issues including:
 - Community Governance Review of Bexhill-on-Sea – Draft Final Recommendations
 - Community Grants Scheme – The Pelham Charitable Incorporated Organisation Update
 - Medium Term Financial Plan 2021/22 to 2025/26
 - Off-Street Car Parks Task and Finish Group

- Progress on the Environment Strategy (2020)
- Review of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024)
- Tourism Events Funding
- Waste Collections, Street and Beach Cleansing Contract Review

16. Standing items reviewed by the Committee included:

- Annual Work Programme
- Annual Report of the Rother Community Safety Partnership
- Call-in and Urgency Procedures
- Draft Annual Report to Council
- Draft Revenue Budget
- Key Performance Targets
- Quarterly Progress Reports on the Annual Performance Plan
- Revenue Budget and Capital Monitoring Programme

Informal Annual Work Programming Meeting

17. The Annual Scrutiny Work Programme meeting will once again not be held this year, but the Work Programme circulated by email to Members of the OSC, other non-Executive Members and the Corporate Management Team and examined alongside key work priorities of the Council for 2021/22. Ideas and suggestions for issues to be considered for inclusion in the Work Programme for the year as a result will be collated, given a priority rating of 1-3 (1 being the highest) by Members and attached to the Annual Work Programme report that will be received by the new OSC at its first meeting on 7 June.

Crime and Disorder Committee

18. In 2009, the Scrutiny Committee was designated as the Council's 'Crime and Disorder Committee' under section 19 of the Police and Justice Act 2006. This is not a separate working or steering group; it simply means that on an annual basis, as part of their regular Scrutiny business, the OSC reviews the work of the Safer Rother Partnership (SRP) as the Council's Crime and Disorder Committee.

- The opportunities and challenges for 2020/21 included: ASB and youth crime; rural crime; County Lines; acquisitive crime within retail (which had been stalled because of the closure of businesses under the COVID restrictions and the associated reductions in this type of crime); White Ribbon campaign; continued Community Safety Partnership (CSP) funding for the Seaview Outreach Service and partners to identify, engage and support rough sleepers in Rother; Operation Thornhill (supporting young people onto a positive pathway); tackling modern slavery (project Discovery); ASB neighbour disputes; issues arising at beaches; safeguarding of both adults and children; COVID-19 compliance; and funded crime reduction equipment.

Scrutiny Reviews

September 2020

19. **Waste Collections, Street and Beach Cleansing Contract Review:** Members received the report of the Executive Director which updated the Committee on the performance over the first 12 months of the Joint Waste Contract within the Rother District Council area with Biffa.

Members recognised that Biffa were improving what was a failing contract under the previous contractor and noted the importance of continuing to support Biffa to improve performance.

November 2020

20. **Medium Term Financial Plan 2021/22 to 2025/26:** The OSC considered the report of the Assistant Director Resources, considered by Cabinet on 2 November 2020, detailing the latest forecast budget for 2021/22 and updated the Medium Term Financial Plan (MTFP) for the period 2021/22 to 2025/26. The report gave Members the latest view of the Council's likely finances over the five year period, ahead of confirmation of Government funding and a number of other factors that would affect the Council's finances.

The MTFP highlighted the challenges the Council continued to face due to the reduction in central Government support, the impact of COVID-19 and both lockdown periods. Motivation and reorganisation of resources were required to ensure the Council was focused on delivering the MTFP.

21. **Community Grants Scheme – The Pelham Charitable Incorporated Organisation Update:** Members received an update on the Rother Community Grant awarded to The Pelham, Bexhill-on-Sea which had, along with other grant funders, enabled the renovation and opening of the whole of the first floor of The Pelham as a Community Space. Due to the COVID-19 pandemic, The Pelham CIO were unable to open to the public between 17 March 2020 and 30 June 2020 but had been identified as one of the organisations that would be able to support the community and those who needed additional volunteers to support the COVID-19 response to the most vulnerable.

Members were pleased to note the work achieved since opening, along with the invaluable contribution The Pelham had made to the Bexhill Community during the COVID-19 pandemic.

22. The OSC also scrutinised the performance of services and the resources they use on a quarterly basis. In conjunction, the OSC looked into the wider, strategic implications for the district and the lives of residents that are represented by individual indicators and targets. Just some of the themes addressed over the period were:

- **Housing and Homelessness:** Members were advised that the impact of COVID-19 on housing completions across the district had been severe and, whilst it was hoped that figures would pick up due to the emphasis that central Government had given on keeping the housing development industry moving was welcomed, it was unknown whether housing completions would recover in the short-term. All targets were not being

met, although there continued to be a decrease in the time people spent in temporary accommodation (TA); the result of a greater number of social housing tenancies becoming available following the early stages of the COVID-19 pandemic. However, the number of new cases entering TA continued to rise and there was a concern that once restrictions on evictions were lifted, cases could rise further. New properties for use as TA continued to be purchased and it was hoped that the Council would own 12 to 13 properties by the spring.

- **Waste and Recycling:** Members were pleased to note the decrease in the number of missed bins over the year and Biffa remained confident that this level of service would continue, providing that COVID-19 infections remained at a low level locally and were working diligently to mitigate infection risks. Waste re-used, composted and recycled was below target and officers had focused on increasing the number of garden waste subscribers, as the recycling rate was heavily influenced by garden waste volumes. Domestic waste tonnages remained at significantly high volumes, with continuing high levels of contamination of 'Bring sites' containers and fly tips, adding to the increased percentage of refuse and a knock-on reduction in recycling. Delays were also being experienced at ESCC Household Waste & Recycling Sites.
- **Asset Income:** Due to the impact of COVID-19 on the Council's revenue stream, it was predicted that there would be £120,000 of unpaid rent in the current financial year, and whilst some of this would be written off at a future point in time, officers would continue to work with tenants to recover this lost rental in the 2021/22 financial year once the longer-term effects of the pandemic were better understood. However, the loss of income represented less than 10% of the Council's investment income; this low figure was primarily due to the diverse and low risk nature of the Council's investment activity, its focus on local investment, and low reliance on specific sectors.
- **Other Income:** Car park income continued to be affected over the year by COVID-19 'stay at home' messages and 'lockdowns'. The income for garden waste was performing well against target, despite a £5 subscription reduction due to the COVID-19 service disruption given to customers who renewed by 15 July 2020. Planning income picked up later during the year but was still heavily dependent on how the economy would react to COVID-19 during the spring period, and how that impacted or stimulated the development and construction industry. Nevertheless, planning application income at year end was currently predicted to be very similar to 2019/20 (albeit down on budget).

Recommendations to Cabinet

23. During the period of the report a total of five recommendations were made to Cabinet, four of which were supported and at the time of writing the report, one to be considered by Cabinet at its meeting on Monday 24 May 2021. Details of all recommendations made to Cabinet by the OSC can be seen at Appendix 1.

Call-In

24. The OSC has not found it necessary to Call-In any decisions of the Cabinet for further scrutiny during the last year. The annual report on the Call-In and Urgency Procedures can be seen elsewhere on the Agenda for this meeting.

Task and Finish Groups

25. During the period of this report, the OSC established one new Task and Finish Group: Off-Street Car Parks Task and Finish Group (OSCP T&FG). The Anti-Poverty Task and Finish Group (AP T&FG) was established in January 2020 but did not meet for the first time until August 2020.
26. Members have previously requested that this Annual Report to Council incorporates a cumulative examination of the results of working groups, when they have concluded their work, to see if their recommendations and outcomes have delivered their set objectives. The AP T&FG are due to report to the OSC in June 2021 and the OSCP T&FG's final report and recommendations can be found elsewhere on this agenda.

Overview and Scrutiny Chairman's Statement

27. From the contents of this report it is evident that this has been another busy and productive year for the OSC. As Chairman, I am pleased with the progress that has been made in terms of improved scrutiny processes and comprehensive contributions from outside representatives. I would like to thank the Members of the Committee for their attendance and their input to the many debates that have taken place.
28. The Task and Finish Groups that we have established continue to do a lot of good work with regard to the individual tasks that they have been set. I would particularly like to thank the Members of these Task and Finish Groups, as well as outside representatives and officers for their time and input.
29. I would like to thank Councillor Vikki Cook, my Vice-Chairman and Democratic Services, in particular Louise Hollingsworth, for their continued support throughout the year.

Risk Management

30. Failure to produce this report would be in breach of Article 6, paragraph 6.3. (d) of the Constitution.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	Yes		

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Appendices:	Appendix 1 – References to Cabinet
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A

REFERENCES TO CABINET

From April 2020 until March 2021, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

20 JULY 2020

1. **COMMUNITY GOVERNANCE REVIEW OF BEXHILL-ON-SEA, DRAFT FINAL RECOMMENDATIONS:** Members received the report of the Executive Director on the Community Governance Review of Bexhill-on-Sea, which detailed the draft recommendations to Cabinet and on to Council for the establishment of a Parish Council for the whole of Bexhill-on-Sea. Members were happy to support the recommendations to Cabinet.

Cabinet was supportive of the OSC's recommendations submitted for onward recommendation to Council.

14 SEPTEMBER 2020

2. **TOURISM EVENTS FUNDING:** Members were requested to review the allocation of funding for visitor events in light of the impact of COVID-19 on the industry, whereby events planned for the year which would have otherwise received Council support had been cancelled. After some discussion, the OSC amended the recommendations to Cabinet detailed in the report.

Following the debate at OSC, further discussions were held with the Cabinet Portfolio Holder for Communities, Culture and Tourism and the recommendations to Cabinet from the Head of Acquisitions, Transformation and Regeneration revised. Cabinet noted the OSC's comments and agreed the revised recommendations submitted.

23 NOVEMBER 2020

3. **REVIEW OF THE HOUSING, HOMELESSNESS AND ROUGH SLEEPING STRATEGY (2019-2024):** The OSC considered the report of the Heads of Service which provided an update on the progress of the Improvement Delivery Plan of the Housing, Homelessness and Rough Sleeping Strategy (2019-2014), in particular the three strategic priorities: Increasing the Supply of Housing; Rough Sleeping, Homelessness and Meeting Housing Aspirations; and Improving the quality and suitability of existing housing and new build housing. Members were happy to support the recommendations submitted but added an additional one, to undertake investigations to identify sites on which pre-fabricated buildings could be installed to be used for Temporary Accommodation.

Cabinet considered the OSC's comments and were supportive of the recommendations submitted.

25 JANUARY 2021

4. **DRAFT REVENUE BUDGET 2021/22:** The OSC considered the draft Revenue Budget proposals which detailed the financial settlement figures for 2021/22 and made recommendations to Cabinet, to be considered at its meeting on 8 February 2021.

Cabinet noted the OSC's comments and agreed to increase Council Tax at Band D by £4.61 (2.5%) per annum and set at £188.71

15 MARCH 2021

5. **PROGRESS ON THE ENVIRONMENT STRATEGY (2020):** The OSC considered the report of the Environment and Policy Manager which outlined progress made on implementing the Environment Strategy since her appointment in August 2020 and the establishment of the Climate Change Steering Group by Cabinet in September 2019. Members requested Cabinet consider adding a review of the grounds maintenance contract to the work of the Climate Change Steering Group, which will be considered at their next meeting on 24 May 2021.