

Rother District Council

Report to	-	Council
Date	-	16 May 2022
Report of the	-	Overview and Scrutiny Committee Chairman, Councillor Paul Osborne
Subject	-	Overview and Scrutiny Annual Report to Council

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 2021 through to the end of March 2022; the report has been prepared before the last scheduled meeting of the OSC for the 2021/22 municipal year has been held.

Scrutiny at Rother

6. Currently, RDC has 38 elected Members who represent the 21 wards within the boundaries of Rother. With eight Cabinet Members, this enables 30 Members to have the opportunity to be involved in Scrutiny.
7. During the period of this report, 60% 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 May 2021:

P.N. Osborne (Chairman), Mrs V. Cook (Vice-Chairman), J. Barnes, J.J. Carroll, C.A. Clark, S.J. Coleman, 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: P.C. Courtel (Labour), L.M. Langlands (Association of Independents), G.F. Stevens (Conservative) and R. Thomas (Liberal Democrat). Due to a change in the political makeup of the Council, P.C. Courtel was no longer appointed as a substitute Member from 20 September 2021. In accordance with the system, a formal substitution has been made on four occasions during the period covered by this report.
12. The Committee has met twice remotely, due to the COVID-19 pandemic via the Microsoft Teams Software, and a further seven times in person between April 2021 and the end of March 2022. An additional meeting was held in April 2021 to consider the Town Hall Renaissance Project.
13. Attendance at meetings by Members appointed to the Committee has been good, with an average of 90.74% 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 four and the average length of a meeting was 1 hour and 43 minutes. A total of 149 members of the public were in attendance via the live broadcast at the nine 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 2021 and the end of March 2022, the OSC received reports on a number of issues including:
 - Carbon Baseline Approach for Council's Activities
 - Council Tax Reduction Scheme - Outcome of consultation to proposed changes

- Draft Anti-Poverty Strategy Proposals
- Economic Recovery Plan Update
- Egerton Park Children's Centre
- Financial Assistance Policy 2021-2025 (Disabled Facilities Grants)
- Financial Procedure Rules Update
- Forgotten Places - A Presentation by Trees for Cities
- Medium Term Financial Plan 2022/23 to 2026/27
- New Community Infrastructure Levy Governance and the proposal for apportionment of Strategic Community Infrastructure Levy Funds
- Progress on the Environment Strategy (2020)
- Recommendations of the Anti-Poverty Task and Finish Group
- Recommendations of the Off-Street Car Parks Task and Finish Group
- Review of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024)
- Town Hall Renaissance Project

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 meeting for the 2022/23 municipal year has been scheduled to take place on Tuesday 17 May 2022 at 2:00pm in order to highlight Council priorities for the year. All current non-executive Members have been invited to this meeting whether or not they will be appointed to the new OSC. The Work Programme items identified during this informal meeting will be considered alongside the Annual Work Programme report that will be received by the new OSC at its first meeting on 6 June 2022.

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 as the Council's Crime and Disorder Committee.

The opportunities and challenges for 2021/22 included: Anti-Social Behaviour (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; 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

October 2021

19. **Forgotten Places - A Presentation by Trees for Cities:** Members were given a presentation by Trees for Cities on their project 'Forgotten Places', an 18 month programme of community tree planting and tree-related activities in seven coastal towns and cities with high deprivation, low canopy cover and lack of investment towards tree programmes.

Members were pleased to note the excellent work carried out by the project team.

Progress on the Environment Strategy (2020): Members received the report of the Head of Neighbourhood Services, which outlined progress made on the Environment Strategy (2020). Various initiatives were in progress including the Bexhill i-Tree Study, Carbon Literacy training for Councillors and members of the Corporate Management Team, a review of the existing carbon footprint of the vehicles and equipment used to deliver the Waste Collections and Street and Beach Cleansing service, reduction in energy consumption for the three Freedom Leisure Centres, longer grass areas across the district, implementation of three 'long stay' car parks and interventions through planning policy.

The Climate Change Steering Group had been reconvened to agree the next steps for driving forward carbon reduction across the district and Members noted the progress made.

20. **Economic Recovery Plan Update:** Members received the report of the Principal Regeneration Officer with detailed the Council's Economic Recovery Action Plan, which set out six broad ambitions: thinking local, acting local; building skills, creating jobs; fast-forwarding business; better places, fuller lives; cleaner energy, greener transport; and the future is digital. A summary was provided of the progress and activity against each ambition.

Members were pleased to note the actions that had been taken and progress made.

November 2021

21. **Review of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024):** Members received an update on the progress made towards achieving the Housing, Homelessness and Rough Sleeping Strategy (2019-2024)'s three strategic priorities and an updated Improvement Delivery Plan (IDP). The Strategy was now in the third year since adoption, and already a significant amount of progress had been achieved to date. The progress and success of many of the achievements was testament to the strength of partnership working in Rother and ongoing commitment from all stakeholders to improve the quality of life for residents.

Members were pleased to note the progress made and made a number of recommendations to Cabinet, as detailed in Appendix 1.

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 Communities:** Members were advised that the number of affordable homes delivered (gross) (supply) target was being met, but the other four targets were not. New properties for use as Temporary Accommodation (TA) continued to be purchased and TA was being transformed into more of a supportive scheme to prevent rough sleeping or returning to abusive situations.
 - **Economic Development and Poverty:** Members were pleased to note that all three measures continued to meet their targets.
 - **Waste Collection:** Members were advised that this measure did not meet its target, largely due to contamination at bring-sites. Members praised the Council's waste collection operator, Biffa, for maintaining their service over the pandemic, despite staffing issues.
 - **Additional Income:** Members were advised that both measures did not meet their targets and the property team was actively looking to improve revenues from existing assets. Work had commenced with Heads of Service to identify proposals that would be presented to the Financial Stability Programme Board. As a result of the continuing pandemic, this work and the subsequent implementation of proposals had been delayed and therefore it was unlikely that the target for 2021/22 would be met.
 - **Planning Processing:** Members were advised that both measures did not meet their targets, however, there was a marked improvement in the third quarter, compared to the second quarter, for processing of both major and minor applications. Work was continuing on processing improvements and the impact would be clearer with the fourth quarter results. Performance figures were also reported to the Planning Committee on a monthly basis.

Recommendations to Cabinet

23. During the period of the report a total of 17 recommendations were made to Cabinet, 15 of which were supported and two were noted. 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. 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 establish if their recommendations and outcomes have delivered their set objectives.

26. During the period of this report the Off-Street Car Parks Task and Finish Group (OSCPT&FG), reported back to the OSC in April 2021 and recommended various changes to car park operations for onward recommendation to Cabinet. The OSCPT&FG also recommended that it continued its work for a further six months, as it had proved too early in the easing of COVID-19 restrictions to make proper judgements regarding the impact of Civil Parking Enforcement (CPE). The OSC agreed with the Group's recommendations and Cabinet was happy to support this.
27. The OSCPT&FG reported once again to the OSC in January 2022 with further recommendations, along with a letter to East Sussex County Council detailing the Council's response to the introduction of CPE, which was recommended for onward approval by Cabinet. Cabinet was supportive of the OSCPT&FG's recommendations.
28. The Anti-Poverty Task and Finish Group last met in May 2021 and reported back to the OSC in June 2021 with recommendations for onward approval by Cabinet. Cabinet was supportive of the OSC's recommendations.

Overview and Scrutiny Chairman's Statement

29. 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.
30. 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.
31. 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

32. 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 2021 until end March 2022, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

26 APRIL 2021

1. **REPORT OF THE OFF-STREET CAR PARKS TASK AND FINISH GROUP:** Members received the report of the Head of Neighbourhood Services which detailed the recommendations of the Off-Street Car Parks Task and Finish Group. Members were happy to support the recommendations to Cabinet.

Cabinet was supportive of the OSC's recommendations.

2. **KEY PERFORMANCE TARGETS 2021/22:** Members received the report of the Head of Acquisitions, Transformation and Regeneration, previously considered by Cabinet on 1 March 2021, detailing the proposed Key Performance Indicators (KPIs) and their target levels of performance for the financial year 2021/22. Members requested that Cabinet consider wider scrutiny of performance in Planning.

Cabinet was supportive of the OSC's recommendations and two additional Key Performance Indicators (KPI) were added to the KPI set to monitor planning applications.

7 JUNE 2021

3. **RECOMMENDATIONS OF THE ANTI-POVERTY TASK AND FINISH GROUP:** Members received and considered the report of the Head of Housing and Community which detailed the recommendations of the Anti-Poverty Task and Finish Group. Members were happy to support the recommendations to Cabinet.

Cabinet was supportive of the OSC's recommendations.

4. **FINANCIAL ASSISTANCE POLICY 2021-2025 (DISABLED FACILITIES GRANTS):** Members received the report of the Head of Housing and Community which outlined a revised Financial Assistance Policy that set out the tools for providing housing renewal assistance as required by the Regulatory Reform (Housing Assistance) England and Wales Order 2002. The Council was required to adopt a Financial Assistance Policy to be able to provide Disabled Facilities Grant funding through the Better Care Fund. Members were happy to support the recommendations to Cabinet.

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

5. **PERFORMANCE REPORT: FOURTH QUARTER 2020/21:** Members considered the report of the Head of Acquisitions, Transformation and

Regeneration on the Performance Report of the Fourth Quarter 2020/21. Members raised concerns about high housing targets set by Central Government that did not consider the amount of protected land across districts that could not be built on. Members recommended that Cabinet considered that the Council work with other local authorities with an 80% or higher level of protected land, to put forward a case to Central Government for a national abatement formula to calculate housing targets.

Cabinet was supportive of the OSC's recommendation.

13 SEPTEMBER 2021

- 6. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING QUARTER 1 - 2021/22:** Members received and considered the report of the Finance Manager on the Revenue Budget and Capital Programme Monitoring Quarter 1 2021/22. Members were requested to approve a recommendation for Cabinet to consider a grant offer of £391,050 from the Ministry of Housing, Communities and Local Government to support the purchase of further accommodation units as part of the East Sussex Rough Sleeper Initiative. Members were happy to approve the recommendation to Cabinet.

Cabinet was supportive of the OSC's recommendation.

22 NOVEMBER 2021

- 7. NEW COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE AND THE PROPOSAL FOR APPORTIONMENT OF STRATEGIC COMMUNITY INFRASTRUCTURE LEVY FUNDS:** Members considered the report of the Director – Place and Climate Change, which proposed the new Community Infrastructure Levy (CIL) Governance arrangements and proposals for apportionment of Strategic CIL funds. A Community Infrastructure Levy Steering Group (CILSG) had been established to consider the allocation and spending of the Strategic CIL funding and the report detailed the Group's recommendations. The OSC was supportive of the CILSG's recommendations.

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

- 8. REVIEW OF THE HOUSING, HOMELESSNESS AND ROUGH SLEEPING STRATEGY (2019-2024):** Members received the report of the Director – Place and Climate Change and the Head of Housing and Community which provided an update on the progress made towards achieving the Housing, Homelessness and Rough Sleeping Strategy (2019-2024)'s three strategic priorities. Members were happy to approve the recommendations to Cabinet, but also added a further two recommendations.

Cabinet were supportive of the OSC's recommendations.

- 9. PERFORMANCE REPORT: SECOND QUARTER 2021/22:** Members considered the report of the Director – Place and Climate Change on the Performance Report of the Second Quarter 2021/22. The OSC noted the

report, but recommended that Cabinet be requested to further explore the possibility of suitable Council-owned sites be used to accommodate pre-fabricated buildings to be used as temporary accommodation.

Cabinet noted the OSC's recommendation and invited Councillor Barnes to provide Cabinet with additional information on the practicalities of pre-fabricated buildings.

10. **COUNCIL TAX REDUCTION SCHEME – OUTCOME OF CONSULTATION TO PROPOSED CHANGES:** Members received the report of the Revenue and Benefits Manager which provided details of the outcome of the Council Tax Reduction Scheme consultation and made recommendations to implement changes to scheme. OSC were pleased to support the recommendations to Cabinet.

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

11. **MEDIUM TERM FINANCIAL PLAN 2022/23 TO 2026/27:** Members considered the report of the Chief Finance Officer on the Council's Medium Term Financial Plan 2022/23 to 2026/27, which would be considered by Cabinet at their meeting on 13 December 2021. Members were happy to support the recommendations to Cabinet.

Cabinet was supportive of the OSC's recommendations.

12. **CARBON BASELINE APPROACH FOR THE COUNCIL'S ACTIVITIES:** Members considered the report of the Director – Place and Climate Change, which provided details of the proposed approach to be taken to establish a Carbon Baseline for the Council's activities to assist the Council in meeting its ambitious carbon zero target. Members were happy to support the recommendation to Cabinet.

Cabinet was supportive of the OSC's recommendation and added an additional four recommendations.

24 JANUARY 2022

13. **KEY PERFORMANCE TARGETS 2022/23:** The OSC considered the report of the Director - Place and Climate Change, which gave details of the current Key Performance Indicators (KPIs) and their target levels of performance for the financial year 2021/22. Members were requested to review the current KPIs and consider if they were still relevant for 2022/23 when considering the priorities of the Council as set out in the Corporate Plan. After considerable discussion, the OSC recommended 14 KPIs within five themed areas, namely Housing and Communities (four indicators); Finance Performance (three indicators); Economic Development and Poverty (three indicators); Environment (two indicators); and Planning (two indicators).

Cabinet was supportive of the KPIs and their performance targets recommended by the OSC for 2022/23. It was acknowledged that the KPIs selected would adequately reflect a review of the Council's performance.

14. **RECOMMENDATIONS OF THE OFF-STREET CAR PARKS TASK AND FINISH GROUP:** Members considered the report of the Off-Street Car Parks Task and Finish Group which summarised the work and final recommendations of the Group in reviewing the impact of the introduction of Civil Parking Enforcement (CPE) on the use of Rother District Council car parks during the previous 12 months, flowing from evidence gathering, stakeholder engagement and car park data. The Group made four recommendations to Cabinet, which the OSC were pleased to approve and a further recommendation for the Group to be reconvened at a later date to review Manor Gardens car park usage and East Sussex County Council's response to the CPE annual review.

Cabinet was supportive of the OSC's recommendations.

15. **DRAFT REVENUE BUDGET 2022/23 PROPOSALS:** The OSC considered the draft Revenue Budget which outlined the likely financial position and key issues that Members needed to consider as part of the budget setting process. The Committee had been requested to consider the draft budget and make recommendations to Cabinet, to be considered at its meeting on 7 February 2022.

Cabinet noted the OSC's comments and agreed to increase Council Tax at Band D by £4.67 (2.47%) per annum and set at £193.38.

14 MARCH 2022

16. **DRAFT ANTI-POVERTY STRATEGY:** Members received the report of the Head of Housing and Community which gave details of the draft Anti-Poverty Strategy to go out to consultation with key stakeholders and the wider population of Rother. Members requested Cabinet approve the draft Anti-Poverty Strategy for consultation.

Cabinet was supportive of the OSC's recommendation.

17. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING QUARTER 3 – 2021/22:** Members received and considered the report of the Chief Finance Officer on the Revenue Budget and Capital Programme Monitoring Quarter 3 2021/22. The report contained details of the significant variations of the Revenue Budget, updated Capital Programme and a brief update on the Collection Fund performance. Members were requested to recommend approval of the continuation of two Service Level Agreements in respect of Rother District Citizen's Advice and Bexhill Museum, and agree to the extension of funding of £85,000 for Rother Citizens Advice and £8,500 for Bexhill Museum for a further one-year period. Members were happy to support the recommendation to Cabinet.

Cabinet was supportive of the OSC's recommendation.