

Rother District Council

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| Report to: | Council |
| Date: | 20 May 2024 |
| Title: | Annual Report of the Overview and Scrutiny Committee |
| Report of: | Councillor Osborne, Chair of the Overview and Scrutiny Committee |
| Purpose of Report: | To inform Members of the work of the Overview and Scrutiny Committee from April 2023 to March 2024. |

Officer

Recommendation(s): 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 2023 through to the end of March 2024; the report has been prepared before the last scheduled meeting of the OSC for the 2023/24 municipal year has been held.

Scrutiny Improvement Review

6. During the last administration, the Council commissioned the Centre for Governance and Scrutiny (CfGS) to carry out a review and evaluation of the Council's scrutiny function, as one of the recommendations that came out of the last review of the Council's Constitution.

7. The CfGS commenced the review in July 2022, which involved evidence gathering in person and online through conversations with Members and officers. They met with elected Members and officers, including the Council Leader and Cabinet Members, the Scrutiny Chair, Members of the Scrutiny Committee, and the Council's Senior Leadership Team (SLT).
8. As part of the feedback stage, a facilitated workshop was held with Members and officers in January 2023 to reflect on the review and to discuss options for improvement. Given that the make-up of the OSC had changed significantly since the elections in May 2023, it was suggested at the first meeting of the civic year that the OSC meet informally to consider in detail the outcome and recommendations of the Scrutiny Improvement Review and agree future working arrangements in light of the review's findings. Members of the Committee were happy to agree to an informal meeting to take place once the Committee had met a few times, in order for new Members to gain more of an understanding of the scrutiny process at Rother District Council.
9. The OSC met informally in January 2024 and worked through the original recommendations made by the CfGS with officer comments, which had been updated with further officer comments. After considering all 16 recommendations in turn, a total of seven actions were agreed to help improve the scrutiny function, including separate and then joint officer / Member training which had been scheduled to take place later in the year.

Scrutiny at Rother

10. Currently, RDC has 38 elected Members who represent the 21 wards within the boundaries of Rother. With 10 Members currently appointed to Cabinet, this enables 28 Members to have the opportunity to be involved in Scrutiny.
11. During the period of this report, 71% 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

12. During the period of this report, three 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.
13. 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 Chair and Vice-Chair are elected annually from amongst its membership save that the Chair must be appointed from one of the opposition groups serving on the Committee. As there is currently only one opposition group, this means that a Conservative Member of the OSC must be appointed as the Chair of the Committee.

Overview and Scrutiny Committee

14. The following Members were appointed by full Council to the OSC in May 2023:

P.N. Osborne (Chair), Mrs V. Cook (Vice-Chair), J. Barnes (MBE), Mrs M.L. Barnes, S. Burton, C.A. Clark, B.J. Coupar, C.A. Creaser, T.M. Killeen (MBE), M.C. Legg, C.R. Maynard and S.B. McGurk.

15. The following substitute Members were appointed to the OSC: F.H. Chowdhury (Labour), P.J. Gray (Green), N. Gordon (Conservative), C. Pearce (Liberal Democrat) and J. Stanger (Association of Independents).
16. The Committee has met nine times in person between April 2023 and the end of March 2024. This includes an additional meeting held in February 2024 to consider the draft Local Plan Consultation. The Committee also met informally over MS Teams in January 2024 to consider the recommendations of the scrutiny improvement review.
17. Attendance at meetings by Members appointed to the Committee has been good, with an average of 93% of the substantive Members attending the meetings during the period of this report. The Substitute Scheme has been used on four occasions over three meetings.
18. 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 125 members of the public were in attendance either in the Council Chamber or via the live broadcast at the nine formal committee meetings held during the period of this report. Dependent on the business to be considered, the relevant Cabinet Portfolio Holders continues to be invited to attend meetings.

Between April 2023 and the end of March 2024, the OSC received reports on a number of issues including:

- Climate Strategy 2023
 - Council Tax Reduction Scheme
 - Discharge of Homelessness Duty to a Suitable Private Rented Property Policy
 - Grounds Maintenance Contract – Specification
 - Medium Term Financial Plan 2024/25 to 2028/29
 - New Housing Allocations Policy
 - People Strategy and Workforce Plan
 - Rail Ticket Office Consultation
 - Report of the Climate Change Steering Group
 - Rother District Council Owned / Leased Accommodation Policies
 - Rother Draft Local Plan Regulation 18 Document
19. 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

20. The meeting for the 2024/25 municipal year will take place on Wednesday 15 May in order to highlight Council priorities for the year. All current non-executive Members will be 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 3 June 2024.

Crime and Disorder Committee

21. The Scrutiny Committee is 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 designated Crime and Disorder Committee.
22. The opportunities and challenges for 2023/24 included: Anti-social behaviour and youth crime; drug related harm (including drug supply (both local and county lines) and the impact on the local community); and rural crime. Work on domestic abuse, business crime, the impact of the cost-of-living crisis and road safety was also included as a focus for work, but not as specifically identified priorities.

Scrutiny Reviews

April 2023

23. **Report of the Climate Change Steering Group (CCSG):** Members received the report of the CCSG, which summarised their work to address the Climate Emergency since their last public meeting in March 2022. The CCSG had met on 10 occasions overseeing the development and implementation of projects, which included Council Emissions Baseline; Tree Planting in Bexhill; Urban Forest 1066; Bexhill Tree Planting Strategy; and Couch to Carbon Zero. Various presentations had also been received and the Group were given regular updates on all projects.

September 2023

24. **Rail Ticket Consultation:** Members received the report of the Chief Executive which gave an update on the proposed changes to ticket office services at train stations within the Rother district. Rail operators were seeking views on proposals to improve and modernise the experience for passengers, by moving staff out from behind the ticket office screens and onto station concourses and platforms, which rail operators hoped would provide support to passengers where they most needed it and help to those who could not or did not want to use contactless or digital tickets.
25. Southern Rail had already carried out a public consultation in July 2023; Southeastern Rail had completed the first phase of public consultation, with a further consultation planned for later in the year. The Council would continue to monitor and feedback updates on the ticket office consultations. Depending

on the timing of the next phase of consultation, the Managing Director of Southeastern Railway would be invited to attend the next meeting of the OSC or a Member's Briefing.

Scrutiny of Services

26. The OSC also scrutinised the performance of services and the resources they use on a quarterly basis. In conjunction, the OSC considered the wider, strategic implications for the district and the lives of residents that are represented by individual indicators and targets. The Council's performance was scrutinised against 26 selected Key Performance Indicators (KPIs), broken down into eight service areas:

- **Corporate Core:** (Percentage of Freedom of Information Requests answered in 20 working days)
- **Customer Services:** (Percentage of enquiries that are resolved on the first contact with customer services; Average call waiting time for the contact centre; and Total number of customer contacts to the Council (channel shift towards digital (Telephone calls answered by customer services))
- **Environmental Health:** (% of scheduled food inspections that were carried out; and % of service requests completed in the required timescale).
- **Estates:** (Income from all assets).
- **Housing:** (Number of households either prevented from homelessness or relieved from homelessness; Average cost of placing household in temporary accommodation; and Average weeks a household was in temporary accommodation before placement).
- **Neighbourhood Services:** (Missed bins per 100,000 collections; Missed bins per 100,000 collections; Percentage of public land found with unacceptable levels of detritus when surveyed; Fly tips recorded each month, cleared from public land; and Fly tip fines issued).
- **Planning Development Management:** Percentage of major development applications determined in 13 weeks or agreed extension; Percentage of minor development applications determined in 8 weeks or agreed extension; Major development planning appeals allowed by the Planning Inspector; Minor development planning appeals allowed by the Planning Inspector; and Total number of PS1 and PS2 planning applications (live cases)).
- **Revenues and Benefits:** (Average calendar days to process a new housing benefit claim; and Average calendar days to process a change to an existing housing benefit claim), (Percentage of council tax owed for the year that has been collected; and Percentage of business rates owed for the year that have been collected)

Recommendations to Cabinet

27. During the period of the report, a total of 12 recommendations were made to Cabinet, the majority of which were supported. Details of all recommendations made to Cabinet by the OSC can be seen at Appendix 1.

Call-In

28. 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

29. 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.
30. During the period of this report, the Digital and Customer Services Strategy Task and Finish Group (DCSS T&FG), the Housing Development Strategy Task and Finish Group (HDS T&FG) and the Local Enforcement Plan Task and Finish Group (LEP T&FG) were established. The initial report of the DCSS T&FG is elsewhere on the agenda, the HDS T&FG is scheduled to report back to the OSC in 2025 and the LEP T&FG have not met yet.
31. The DCSS T&FG was established in October 2023 and has been tasked with developing a Digital and Customer Services Strategy and action plan that mandates the aims and objectives of the Council's digital and customer service aspirations over the next four years, along with Key Performance Indicators to measure the success of its outcomes. The DSCC have met four times between December 2023 and March 2024.
32. The HDS T&FG was established in September 2023 to gather evidence from a range of stakeholders and make recommendations that will inform the shape and direction of a Housing Strategy. The HDS T&FG have met once since January 2024.

Overview and Scrutiny Chair's Statement

33. From the contents of this report, it is evident that this has been another busy and productive year for the OSC. Following the elections in May 2023, there has been a change to the make-up of the OSC and the new Members appointed to the Committee who are new to scrutiny have engaged in the process and made valuable contributions. As Chair, 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. I look forward to continuously improving scrutiny by engaging in training and development opportunities in the coming year and other initiatives as a result of the scrutiny improvement review.
34. 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.

35. I would like to thank Councillor Mrs Vikki Cook, my Vice-Chair and Democratic Services, in particular Louise Hollingsworth, for their continued support throughout the year.

Corporate Plan and Climate Strategy / Action Plan

36. N/A

Financial Implications

37. There are no financial implications for the proposals within this report.

Legal Implications

38. There are no legal implications for the proposals within this report.

Human Resources Implications

39. There are no Human Resource implications for the proposals within this report.

Human Rights

40. There are no Human Rights implications for the proposals within this report.

Crime and Disorder

41. There are no Crime and Disorder implications for the proposals within this report.

Environmental / Insert Carbon and Co-Benefits Decision Support Tool Result (if applicable)

42. There are no environmental implications for the proposals within this report.

Risk Management

43. Failure to produce this report would be in breach of Part 2, Articles, Article 6, paragraph 6.3. (d) of the Constitution.

GDPR / Data Protection

44. There are no GDPR / Data Protection implications for the proposals within this report.

Equalities, Diversity and Inclusion

45. There are no equalities, diversity, inclusion implications for the proposals within this report.

Socio Economic Duty

46. There are no implications for the Council under its' socio economic duty for the proposals within this report.

Exempt from publication

47. This report is not confidential.

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| Appendices: | 1 References to Cabinet |
| Relevant Previous Minutes: | None |
| Background Papers: | None |
| Reference Documents: | None |

REFERENCES TO CABINET

From April 2023 until end March 2024, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

5 JUNE 2023

1. **NEW HOUSING ALLOCATIONS POLICY:** Members received the report of the Head of Housing and Regeneration, which provided details of the new draft Housing Allocations Policy (HAP). The Policy provided a transparent framework for the effective and equitable allocation of social housing in the Rother District, having regard to the statutory guidance as set out in s.196 of the Housing Act 1996 and the Localism Act 2011. The Council was obliged to consult local residents and other stakeholders on the proposed changes within the new draft HAP so these could be revised, refined and adjusted to best meet the needs of the community. Members of the OSC were happy to recommend to Cabinet that the draft Consultation Plan, draft Consultation Questionnaire and the draft Housing Allocations Policy be approved for consultation, as submitted.

Cabinet was supportive of the OSC's recommendation.

10 JULY 2023

2. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING DRAFT OUTTURN 2022/23:** Members received and considered the report of the Interim Deputy Chief Executive which updated Members on the Council's finances as at the end of March 2023 and included a brief update on the Collection Fund performance, as well as information on income write offs for the last financial year, as required by the updated Constitution. Members raised concerns about the £7.5m underspend on Temporary Accommodation (TA) purchases, and recommended that Cabinet consider giving more priority to the purchase of TA.

Cabinet noted the OSC's recommendation.

11 SEPTEMBER 2023

3. **ROTHER DISTRICT COUNCIL OWNED / LEASED ACCOMMODATION POLICIES:** Members received and considered the report of the Head of Housing and Regeneration that outlined the proposed Rother District Council (RDC) owned / leased accommodation policies for implementation. As a Registered Provider, the Council had to ensure it had a suite of policies in relation to its accommodation, tenants and staff/contractors, in order to comply with Housing Ombudsman, Social Housing (Regulation) Act 2023 and duties as a landlord.

Members were happy to recommend to Cabinet, for onward recommendation to full Council, that the policies be approved for adoption. Cabinet were supportive of the OSC's recommendation.

4. **DISCHARGE OF HOMELESSNESS DUTY TO A SUITABLE PRIVATE RENTED PROPERTY POLICY:** Members received the report of the Head of Housing and Regeneration which gave details of the proposed Discharge of Homelessness Duty to a Suitable Private Rented Property Policy. The policy outlined the criteria for how offers of private sector accommodation were made when discharging the Council's homelessness duties under the Housing Act 1996 (as amended) and Homelessness Reduction Act 2017. To have a formal policy in place would enable the Council to transparently make an offer of a private sector tenancy inside or outside of the Rother District Council area to all households where a suitable property had been identified and leave it less open to formal appeal from customers.

Members were happy to recommend to Cabinet, for onward recommendation to full Council, that the policy be approved for adoption and that the Head of Housing and Regeneration be granted delegated authority to make any further changes to the policy that may be required in the future. Cabinet was supportive of the Committee's recommendations

5. **MEDIUM TERM FINANCIAL PLAN 2024/25 TO 2028/29:** Members considered the report of the Interim Deputy Chief Executive (Section 151) on the Council's Medium Term Financial Plan 2024/25 to 2028/29, which would be considered by Cabinet at their meeting on 6 November 2023. The updated Medium Term Financial Strategy, identified savings and efficiencies, draft capital budget, fees and charges proposals, a risk assessment for the next year's budget and a sensitivity and scenario analysis were appended to the report.

Members made three recommendations to Cabinet, two of which were not supported and one was already being considered as part of the Council's Fit for the Future work.

6. **COUNCIL TAX REDUCTION SCHEME:** Members received the report of the Revenue and Benefits Manager which outlined a proposed consultation with both the public and the Major Precepting Authorities in respect of proposed changes to the Council's Council Tax Reduction (CTR) Scheme with effect from 1 April 2024. The proposed changes in the scheme for 2024/25 were to increase the working age maximum to 100% and to remove the £5 per week minimum payment; the discounts available based on current income thresholds were outlined in the report for Members' information.

Members requested that Cabinet consider the Council consult with the public and Major Precepting Authorities on proposed changes to the Scheme and Cabinet was supportive of the OSC's recommendation.

7. **PERFORMANCE REPORT: FIRST AND SECOND QUARTERS 2023/24:** Members considered the report of the Corporate Programme and Improvement Manager on the Performance Report of the First and Second Quarters 2023/24. Members were given the opportunity to scrutinise progress towards corporate operations and service delivery and make any necessary recommendations to Cabinet for future service delivery. Members were

provided with a summary of the Council's performance against the selected 26 Key Performance Indicators (KPI) broken down into eight service areas; performance was compared to the previous quarter result and to the same quarter the previous year. Members were asked to consider a change to the target for processing all types of planning applications to 80%, which Members were happy to recommend to Cabinet.

Cabinet was supportive of the OSC's recommendation.

8. **CLIMATE STRATEGY:** Members considered the report of the Environment Strategy Officer, which summarised the work of the Climate Strategy refresh and provided the resulting draft Climate Strategy (CS) to be considered for onward approval and adoption. In 2022/23, in partnership with stakeholders and the local community, a review of the Council's strategy to reduce emissions and create a cleaner, greener, more equitable district was completed, alongside a review of the Environment Strategy 2020. The resulting CS detailed how the Council would use its powers and influence to make the district carbon neutral and reduce its operational emissions to Net Zero by 2030.

The aim of the CS was to enable, encourage and accelerate the reduction of GHG emissions across the district to net zero by 2030. The CS outlined its five objectives with five action areas (Buildings and Energy Efficiency, Transport, Resource Consumption and Waste, Biodiversity and Land Use and Energy Generation), which detailed the challenges and the Council's approach. A three-year Climate Action Plan had been produced to direct delivery of the CS.

Members recommended that Cabinet be requested to consider that the draft Climate Strategy be recommended to Council for approval and adoption, which Cabinet were supportive of.

22 JANUARY 2024

9. **DRAFT REVENUE BUDGET 2024/25 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 5 February 2024.

Cabinet noted the OSC's comments and agreed to recommend to Council an increase in Council Tax at Band D by £5.94 (2.99%) and set at £204.54 (subject to any changes to special expenses yet to be confirmed).

10. **KEY PERFORMANCE TARGETS 2024/25:** The OSC considered the report of the Corporate Programme, Risk and Improvement Manager, which gave details of the current Key Performance Indicators (KPIs) and their target levels of performance for the financial year 2023/24. A new KPI for Progress of the Climate Strategy had been added to the set for 2024/25, minor changes made to the Planning Development and Revenues and Benefits KPIs and a reduction in the number of KPIs for Customer Services were proposed.

Members recommended and agreed that Planning Development KPIs P3 and P4 be combined and agreed to recommend all the suggested KPIs for consideration by Cabinet. Members requested they be listed in alphabetical order for ease of reference.

Cabinet was supportive of the KPIs and their performance targets recommended by the OSC for 2024/25 and it was acknowledged that the KPIs selected would adequately reflect a review of the Council's performance.

11. **ALLOCATIONS POLICY:** The OSC considered the report of the Head of Housing and Regeneration, which presented the findings of the eight-week public consultation on the draft Housing Allocations Policy 2024 (HAP) and the proposed final version of the Policy. Members were happy to recommend the Policy to Cabinet and full Council for approval and adoption, with delegated authority granted to the Head of Housing and Regeneration to formally adopt it make any further minor amendments, in consultation with the Cabinet Portfolio Holder for Housing, following the conclusion of the implementation period.

Cabinet was supportive of the OSC's recommendations.

19 FEBRUARY 2024

12. **LOCAL PLAN CONSULTATION DRAFT (REG 18):** The OSC considered the report of the Planning Policy Manager, together with the Rother Draft Local Plan Regulation 18 document and the Rother Local Development Scheme, ahead of their formal consideration by Cabinet on 4 March 2024.

After some discussion, Members were happy to recommend the Rother Draft Local Plan Regulation 18 document to Cabinet for approval and formal consultation and for the revised Rother Local Development Scheme to be approved and published alongside the Local Plan. Cabinet noted the OSC's comments, were supportive of their recommendations and also agreed that delegated authority be granted to the Director – Place and Climate Change, in consultation with the Cabinet Portfolio Holder for Planning to make any minor modifications to the draft LP prior to the consultation.