

OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 14 June 2023 in the Council Chamber - Council Offices at 9.30 am

Committee Cllr N Dixon (Chairman) Cllr S Penfold (Vice-Chairman)
Members Present:

Cllr V Holliday	Cllr N Housden
Cllr C Cushing	Cllr P Fisher
Cllr L Vickers	Cllr M Batey
Cllr J Boyle	Cllr G Bull
Cllr R Macdonald	

Other Members: Cllr T Adams (Observer) Cllr C Ringer (Observer)
Cllr L Shires (Observer) Cllr J Toye (Observer)
Cllr A Fitch-Tillett (Observer)

Officers in Attendance: Democratic Services and Governance Officer - Scrutiny (DSGOS), Chief Executive (CE), Democratic Services Manager (DSM), Director for Communities (DFC), Director for Resources / S151 Officer (DFR), Performance Management Officer (PMO), Data Analyst (CDA) and Environmental and Safety Manager (ESM)

1 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

2 SUBSTITUTES

None.

3 PUBLIC QUESTIONS & STATEMENTS

None received.

4 MINUTES

Minutes of the meeting held on 15th March 2023 were approved as a correct record and signed by the Chairman.

Questions and Discussion

- i. The Chairman noted that there was a matter arising from the minutes that he wished to discuss on the NWH SHAZ project, where there were still some outstanding actions to be completed. He added that whilst a response had been received, it did not provide the detailed information requested and it was therefore not possible to close the matter. It was noted that the issues had been discussed with the Vice-Chair and Cllr N Housden, and it had been suggested that a meeting could take place with officers to discuss the issues in more detail, in order to bring a conclusion to the next meeting. Cllr S Penfold stated that he was happy to have a meeting, but suggested that this should be done during a site visit to better understand the project. Cllr N Housden stated that he would support a site visit, but still required specific

figures, as had been requested.

- ii. The CE stated that it would be useful to understand what information had not been provided, as it was his understanding that all information had been provided. Cllr N Dixon stated that the information required was reflected in the minutes of the previous meeting. Cllr N Housden stated that the Committee had not seen specifics of the £400k funding uplift with a full breakdown of the expenditure. The CE stated that a breakdown of costs had been provided to the Chairman via email on the 15th May, which had included purchase of the land at Black Swan Loke, design/management fees and contractor costs. He added that if there was any further information required, he would require a specific request for information.
- iii. Cllr S Penfold stated that the decision had been considered by the Overview & Scrutiny Committee, Cabinet and Full Council, with the project also reviewed by GRAC, so it needed to be clear what further information was required. The Chairman suggested that the discussion would require going into detail, and would therefore be better had on a separate occasion, to avoid delaying the meeting.
- iv. Cllr L Shires stated that she was not aware of what was required, and would require details in order to provide further information. Cllr N Housden referred to an email from 15th March which referred to justification of how the £400k uplift funding would be spent. He added that the S151 Officer's reply had not responded to the specific requests made in the email, and this was what was required. Cllr N Dixon suggested that without all Members having seen these emails, it was not helpful to discuss the matter with the wider Committee, and would be better discussed outside of the meeting, with a conclusion provided at a later date.
- v. Cllr S Penfold raised concerns that he did not wish to reopen a decision related to the funding, which had already been agreed by Council.
- vi. The CE Stated that he was happy to meet with Members to discuss any outstanding issues and would be happy for this to take place in North Walsham, if necessary, but in advance of this, an outline of the required information had to be made, so that it could be presented by officers. He added that it would be helpful to receive this request in writing to ensure transparency. Cllr S Penfold suggested that it would also be helpful to invite the wider Members for a site visit to North Walsham.
- vii. Cllr V Holiday referred to responses received from the PCC that had been provided after the last meeting, and asked whether it was appropriate to raise these for discussion. The DSGOS suggested that he could circulate the responses to all new Members so that they could be discussed at the next meeting, if required.

ACTIONS

- 1. Meeting to be arranged between Committee Chair/Vice-Chair/Cllr Housden and Officers to discuss outcomes and requested information on NWHSHAZ project.**

5 ITEMS OF URGENT BUSINESS

None received.

6 DECLARATIONS OF INTEREST

None declared.

7 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

8 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

None received.

9 RESPONSES OF THE COUNCIL OR THE CABINET TO THE COMMITTEE'S REPORTS OR RECOMMENDATIONS

None to report.

10 O&S TRAINING RECAP

- i. The Chairman introduced the item and noted that the Committee had one of the widest remits of any Committee, which meant that the work programme covered a range of topics. He added that first and foremost the Committee must remain apolitical, in order to provide effective challenge and support, where necessary. It was noted that in the case of pre and post-decision Scrutiny, the Committee would always be required to consider making recommendations to other Committees, or seek actions from officers.
- ii. The Chairman noted that he would seek to keep meetings to approximately two hours in length, and that this would require Members to read reports in advance, and keep questions strategic and concise, with similar responses expected from Cabinet Members and officers. He added that in some cases deeper questions or requests for further information may be appropriate, and that Committee Members would be given priority when asking questions.

11 APPOINTMENT OF REPRESENTATIVE AND SUBSTITUTE FOR THE NCC NORFOLK HEALTH OVERVIEW & SCRUTINY COMMITTEE

The Chairman introduced the item and noted that the Committee were responsible for appointing to the Norfolk Health Overview & Scrutiny Committee, with guidance available in the Constitution on making appointments to outside bodies.

Questions and Discussion

- i. The DSGOS advised Members that when making appointments to outside bodies they should consider the relevant Councillors' responsibilities, skills or experience, time available to devote to the role, and any preference from the body. He added that the Committee were required to agree an appointee and substitute.
- ii. The Chairman noted that the Committee were particularly interested in ambulance response times and the availability of NHS dental services within North Norfolk, and suggested that whoever was appointed would be

expected to report on these and other issues.

- iii. Cllr J Boyle was nominated by Cllr G Bull and seconded by Cllr R Macdonald.
- iv. Cllr V Holliday was nominated by Cllr C Cushing and seconded by Cllr N Housden.
- v. Cllr J Boyle was appointed, and the DSGOS suggested that with two nominations Cllr V Holliday may wish to be appointed substitute. Cllr V Holliday was nominated to be substitute by Cllr L Vickers and seconded by Cllr C Cushing.
- vi. Cllr J Boyle suggested that it may be worth reviewing the appointments after a period of twelve months.

RESOLVED

That Cllr J Boyle be appointed as representative to the Norfolk County Council NHOSC, and that Cllr V Holliday be appointed as substitute.

12 O&S DRAFT 2023/24 WORK PROGRAMME

The DSGOS introduced the report and informed Members that whilst the draft work programme contained a number of items, the Corporate Plan was yet to be published and it was expected that further proposals would form additional work for the Committee, to be added in due course. He added that the Committee were required to approve the draft work programme, though noted that it would remain flexible as new projects or decisions appeared and others slipped. It was noted that there were several suggested items that could be added, subject to the Committee's approval. These included reviewing sewage outflow incidents with Anglian Water, monitoring the Council's progress to achieving Net Zero, reviewing the implementation of the Planning Service Improvement Plan, ongoing coastal adaption, and a follow-up on the public convenience recommendations. The DSGOS noted that the Committee did have a provision under item 8 of meeting agendas for matters to be raised by Members, as well as other means of launching Scrutiny investigations such as the Councillor Call for Action.

Questions and Discussion

- i. The Chairman stated that the work transacted by the Committee fell into either regulatory matters, which the Committee was required to undertake, and non-statutory work which was formed of matters relating to the Corporate Plan or other matters of concern to residents. He added that the TOPIC selection criteria was outlined in the report and should be closely adhered to when selecting items for the work programme. It was noted that Members of the public were also entitled to petition the Committee, though a certain number of signatures would be required for the Committee to debate the issue.
- ii. The Chairman noted that if a point was reached where the Work Programme was at capacity, then Task & Finish Groups or other Sub-Committees could be established to undertake specific tasks in more detail than would be possible at the Committee level.

- iii. Cllr L Vickers stated that she was surprised that accounts had not been signed-off over the past two years, and suggested that without verified accounts it would be difficult to review finance reports in good faith. She added that she would like some assurance from officers that the accounts would be brought up to date as soon as possible so that Councillors could be confident that they were making recommendations or taking decisions on a secure financial footing. The DFR replied that the matter had been discussed at GRAC, with the reasons for the delays both internal and external explained. She added that there was now consensus on when the accounts would be signed-off and a timeline would be prepared for consideration by Members. It was noted that there was only one outstanding item on the 2020-21 accounts, and it was expected that the would be signed-off by the end of the week. The DFR stated that the 2021-22 accounts would be audited in August, or sooner if possible, whilst the 2022-23 accounts would be completed once the previous year's accounts were complete, hopefully by December. She added that she shared Members' concerns regarding the accounts and she was confident that they would be caught up within the 23-24 financial year.
- iv. The Chairman asked whether it was correct to say that unaudited accounts had been published. The CE replied that unaudited accounts had been completed for 20-21 and 21-22, though the 22-23 accounts were yet to be completed as the deadline had recently returned to May from July, which had presented challenges for many Councils following delays with the external audit process. He added that since their appointment in November 22, the new S151 had reviewed capacity of the Finance Team and was in the process of recruiting to additional posts.
- v. Cllr J Toye noted that during the GRAC meeting, officers had promised to provide a chart that would outline the timeline and process for catching-up with the Council's audited accounts by the end of the year.
- vi. Cllr T Adams stated that most journals had discussed delays with the auditing of local government accounts and the various measures that may be required to clear the current backlog, and encouraged Members to review this information.
- vii. Cllr V Holliday asked whether approving the work programme would include the additional items listed, as she felt they were particularly important. The DSGOS replied that if there was no dissent amongst the Committee, then he would look to add the additional items, once approved. Cllr V Holliday suggested that access to dental treatment may be a further topic of concern for the Committee, given the issues in securing NHS treatment. Cllr L Vickers seconded the proposal to add access to NHS dentistry to the work programme. The DSGOS suggested that initially this matter may be debated and referred to NHOSC in the first instance, as was the case with monitoring ambulance response times.
- viii. The draft work programme was proposed by Cllr P Fisher and seconded by Cllr S Penfold.

RESOLVED

- 1. To agree the draft Work Programme with the addition of dental service provision in North Norfolk.**

13 PURCHASE OF TWO ADDITIONAL REFUSE COLLECTION VEHICLES

Cllr C Ringer – Portfolio Holder for IT, Environmental & Waste Services introduced the report and informed Members that two additional refuse vehicles were required specifically for commercial and garden waste collections, which were statutory services for which the Council was entitled to levy a charge. He added that the reason additional vehicles were required was due to significant increases in collections over a five year period, with garden waste customers increasing by approximately 1000 per year, whilst commercial waste collections had risen 50% over five years. It was noted that because these services were statutory, the Council could not turn new customers away, and therefore steps had to be taken to increase capacity, so as not to impact domestic collections. Cllr C Ringer informed Members that the report was coming forward now to make use of Serco's pre-allocated build slots for vehicles in November, as opposed waiting until late 2024.

Questions and Discussion

- i. The Chairman asked whether any cost-benefit analysis had been undertaken to outline the growth in chargeable services. Cllr C Ringer stated that he had seen this information, but it was not possible to provide full details within the public report due to commercial sensitivity. He added that it was important to purchase vehicles now so that the services offered by the Council could remain commercially competitive and continue to grow. The DFC stated that Serco were already providing services using hired vehicles, but the Council was contractually obliged to provide waste vehicles, following a decision taken to avoid risk. He added that whilst there was a cost-benefit to the proposals, the overall position was that the Council was obligated to provide vehicles. It was noted that this would enable Serco to continue to meet the additional demand created by successful trade collections which had increased from 88k to 130k lifts per annum, and growing garden waste collections. In response to a question from the Chairman, the DFC noted that whilst vehicles were owned by the Council, they would still be specified, used and maintained by Serco.
- ii. Cllr C Cushing stated that there was a compelling case for the purchase of the vehicles, but the original report had not made this clear, and the supporting information could have been provided in a confidential appendix. He referred to the cost of the vehicles and stated that whilst the report suggested this would be funded through borrowing, more details were required, and the impact of borrowing, or the use of reserves should be considered if possible. Cllr C Cushing asked when the costs of borrowing would be incurred if used, and why an explanation for the timing of the request had not be included in the report, or the 23/24 budget. The DFR replied that the vehicles would be funded in part by money returned from Serco as part of the non-performance compensation accounting for £50k, whilst the remainder would be covered by borrowing from the Public Works Loans Board with a preferential rate. She added that it may be possible to use cash reserves to avoid borrowing, which would avoid interest, but this would not be known until nearer the time, but otherwise borrowing costs would incurred the year after purchase in 2024-25. It was noted that earmarked reserves could only be used for specific purposes and could not be used in this case.
- iii. The ESM referred to cost-benefit analysis and stated that whilst the waste

collection services were statutory, the Council did levy a charge for the services, and though costs had increased, the service continued to return a considerable surplus which had been placed in the general reserve and would continue on an ongoing basis. On the timing of the report, it was noted that a Serco reorganisation and management changes had delayed the report and the position was not confirmed until April, by which point the Council was preparing for the upcoming election. The Chairman suggested it would be useful to know the amounts that had been paid into the general reserve.

- iv. Cllr V Holliday referred to Serco performance over the past year and stated that she was under the impression that performance compensation would in the region of 200k, and she therefore expected more could be used to offset the costs of the vehicles. The DFC replied that the £50k outlined in the report was from 21-22, which had been allocated for vehicle expenditure, but the full figure for 22-23 was not yet agreed, though it was possible that more could be used to offset the vehicle costs, once known. He added that these funds were placed into an innovation fund to improve the service beyond contractual requirements. Cllr V Holliday suggested that it appeared aspirational to look for improvements to a service that had not met required service levels, but accepted that any improvement would be positive. The DFC stated that these funds could not be used for Serco to meet its existing contractual obligations, and instead had to be used for service enhancements, though it was possible to use this for the purchase of additional vehicles.
- v. Cllr N Housden stated that it would have been helpful to have had the reasons the Council was obliged to purchase vehicles in the report, and referred to previous meetings with Serco where they had admitted that they did not have a strategy which could have identified the need for additional vehicles earlier. He added that previously Serco had difficulties recruiting drivers and crew, and if this was still the case, then additional vehicles would not help. The DFC replied that officers had worked hard to address issues caused by revised collection routes, which had been compounded by pay disputes, however these issues had now been resolved and rates of pay were now at a point that recruitment was no longer an issue. He added that providing additional vehicles was intended to put Serco ahead of the curve in terms of service demand, so that they were prepared for continued growth. Cllr C Ringer welcomed Cllr Housden's views on a more strategic approach and noted that the Council were awaiting the outcome of the Government's review of the waste strategy, which may provide challenges better met with strategic planning.
- vi. Cllr S Penfold asked how long the vehicle quote would remain valid, and whether placing the order soon would save the use of the contingency funds. The ESM replied that the figures quoted were valid until May, with contingency added to account for delays, though significant increases were not expected. The DFC stated that the Council was in the same position during contract mobilisation, with prices only fixed for seven days. He added that during purchase of the original fleet, vehicles had cost less than originally quoted, and though some volatility could be expected, the contingency was added to cover any cost fluctuations. Cllr S Penfold asked whether a specified cost could be given once the build date had been agreed. The ESM replied that price agreed at the point of order would be fixed as the price paid, but this would not be known until the point of order,

with fluctuation expected up to that point.

- vii. Cllr N Housden referred to the increase in bin lifts for trade waste, and asked if there was any modelling of potential growth. The DFC replied that figures could be provided, but these would be skewed by the size of bins if trade customers increased their bin capacity.
- viii. The recommendation was proposed by Cllr R Macdonald and second by Cllr P Fisher.

RESOLVED

- 1. To recommend to Full Council an addition to the Capital programme of £385,000 to purchase two new refuse collection vehicles and that the £385,000 be added to the residual £65,000 that is left over from the original budget to purchase refuse vehicles from 2019 to date. It is also recommended to Full Council that the purchase be funded by borrowing of £335,000 and a revenue contribution of £50,000.**

14 MANAGING PERFORMANCE QUARTER 4 AND CUMULATIVELY FOR 2022/2023

Cllr T Adams – Council Leader introduced the report and informed Members that there had been good progress made towards achieving the Council's objectives in the last quarter. He added that Serco pay disputes had been resolved and efforts could return to improving performance, carbon reduction and revenue growth for chargeable services. It was reported that there were approximately sixty-five households in temporary accommodation, and numbers were expected to remain high during the current housing crisis. On North Walsham it was noted that physical works had been completed ahead of schedule, with work now progressing on the Cedars building, the public toilets and lokes. Cllr T Adams reported that no adverse decisions had been made by the ombudsman for the 22-23 year, and work was now underway on the solar port at the Reef to further reduce the Council's carbon footprint. He added that the introduction of the Planning Service Improvement Plan had significantly improved performance and commended officers for their efforts.

Questions and Discussion

- i. The Chairman referred to p40-41 and asked what evidence was available to suggest that the NWHASHAZ project had boosted business growth and sustainability. Cllr T Adams stated that whilst he did not have data to hand, North Walsham had low shopfront vacancies, new businesses opening in the town and a number of recent events that had been particularly successful. He added that data on footfall and the number of visitors had been recorded and could be shared outside of the meeting. Cllr L Shires stated that four new businesses had opened in the town since November, with one occupying a previously vacant site beyond the market place, which suggested that the town centre's commercial area was expanding. She added that two national businesses had also shown interest in the town, however the high street did not have a large enough unit available so options were being considered on the town's periphery. Cllr L Shires said that the town didn't currently have space to accommodate all commercial interests in the high street, and that there had been significant increases in the use of bus services, with additional routes and times added. The Chairman suggested that any metrics to evidence business growth would be

appreciated. Cllr T Adams noted for context that other towns had unfortunately lost local bank branches and shops, though on the whole the District still bucked the trend with very few vacant retail units. Cllr S Penfold stated that there was a sense of community pride and ownership in North Walsham created by the project. The PPMO stated that the Council had recorded footfall and other metrics and would be able to present this data in due course.

- ii. Cllr N Housden referred to hydrogen projects on p46, and asked whether any consultancy grants were available to explore other schemes or areas. Cllr T Adams replied that the Council would be open to exploring all possibilities, and whilst he was not aware of anything beyond the existing Bacton site, the Council had to make efforts to explore all opportunities. The CE noted that a report had gone to Cabinet the previous week to provide limited consultancy work to better understand the potential for Hydrogen at the Bacton site, and noted that the National Hydrogen Strategy was supporting projects in Redcar and Holton for commercial use to decarbonise manufacturing processes. It was suggested that this approach was likely not present in Bacton due to a lack of industry in the area, though a national hydrogen grid could include Bacton in the future. The CE added that small scale hydrogen production had previously been considered with a report prepared that could be shared with Members, but there was not currently the demand to pursue these proposals without industry support. It was noted that if Bacton had the potential for significant hydrogen production or storage, then the planning for this would likely take seven to ten years and would raise issues for the Council in terms of capacity and knowledge, that may require the employment of specialists. The CE stated that efforts would have to be made to ensure that North Norfolk residents could benefit from any proposals, unlike during the growth of natural gas in the 1970s that many residents were unable to take advantage of. The Chairman asked whether it would be useful to have a Member briefing to bring Members up to speed on progress with future projects of this kind, to which the CE confirmed he would look to arrange a session once the induction process had come to an end.
- iii. Cllr V Holliday referred to comments on strong progress and suggested that this was at variance with data on housing, climate, blue flag beaches and time taken for housing benefit changes, which was not particularly positive. She added that in terms of customer focus, Inphase data suggested that only 65.2% of calls were answered in May, with an average queue time of 8.5 minutes, and asked when this could be expected to improve. Cllr Holliday noted that time taken for housing benefit changes was still not meeting expectations and asked whether this should be reviewed again. Cllr T Adams replied that the loss of blue flags had been previously discussed, and the Council had been let down by the water industry who were still refusing to accept responsibility. On time taken for housing benefit changes, it was stated that the current eight days was an improved position, but it may be helpful for the Committee review this again in the future. He added that in terms of customer service calls, this was an ongoing pressure and an increase in resources may have to be considered to meet demand. On housing benefits changes the DFR stated that the Team prioritised new claims over changes to ensure that those in need would receive payments faster.
- iv. The recommendation was proposed by Cllr S Penfold and seconded by Cllr J Boyle.

RESOLVED

- 1. To note the report and endorses the actions being taken by Corporate Leadership Team detailed in Appendix A – Managing Performance.**

15 CONTEXTUAL PERFORMANCE REPORT

The CDA introduced the report and informed Members that of the fifteen contextual measures contained within the Corporate Plan, only four had been updated since the last review. She added that none had received a red RAG status when compared with the Council's CIPFA nearest neighbours, though two were given an amber status, but did not present a particular concern as they were either improving or stable. It was noted that the index of multiple deprivation score may be worthy of further investigation given its red RAG status, but the measure was improving. The CDA noted that the area was also scoring poorly in terms of barriers to housing and services which were affected by housing affordability and distance to services, which may not be a surprise. Business survival rates was reported to have an amber RAG status, though other datasets were suggested to provide a more detailed picture of business health in the District.

Questions and Discussion

- Cllr V Holliday suggested that it may be worthwhile looking in detail at the multiple deprivation score, as the Council would be able to assist residents on matters such as fuel poverty and public transport. She added that contextual measure thirteen also correlated with the response received from the OPCC, which suggested that efforts to address domestic abuse and violence did not appear to be working, which may therefore require further investigation. Cllr T Adams agreed that it would be worthwhile investigating these areas and stated that continued rises in domestic abuse and anti-social behaviour crimes were concerning. The DSGOS asked whether there was further data available on the measures raised by Cllr Holliday. The CE stated that several of the contextual measures were subject to a significant time lag, and new datasets were being considered as part of the development of the Corporate Plan, so it may be worth waiting before considering any additional datasets.
- The Chairman noted that the benchmarking data would come to the Committee in July, and the Committee may want to review this before making any decisions on updating datasets. The CE noted for the benefit of new Members that the Performance Management report related to objectives within the Corporate Plan, whilst the benchmarking report considered performance against similar authorities, and the contextual data report provided context of the Council's performance within national datasets.
- The recommendation was proposed iii. by Cllr S Penfold and seconded by Cllr J Boyle.

RESOLVED

- 1. To receive and note the contextual measure data for NNDC compared to the CIPFA benchmarking group.**

16 THE CABINET WORK PROGRAMME

- i. The DSGOS informed Members that a number of financial reports were expected in July including the Outturn and Treasury Management reports, whilst the Debt Management report had been delayed until September. He added that the draft Corporate Plan was also expected which would generate a significant proportion of the Council's business for the current term.
- ii. The DSM stated that other reports had been added to the Cabinet work programme following publication of the agenda which included a Homes for Wells report, which had been agreed with the Overview & Scrutiny Chairman as it had not been published on the forward plan. She added that an update on the Coastal Transition Accelerator Programme was also expected that the Committee may be interested in.

RESOLVED

To note the Cabinet work programme.

17 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

- i. The DSGOS referred to questions raised in the contextual performance report and suggested that it could be worthwhile raising the concerns regarding rises in domestic abuse related crimes with the PCC in advance of his next Committee briefing. He added that it would also be helpful to understand whether there was more data available on multiple deprivation. The CDA replied that she could go straight to source to see if more data was available that could be used for deeper investigation, and noted that the ADPS was also interested in reviewing this data to see what assistance could be provided.
- ii. The DSGOS informed Members that he would share responses received from the PCC to questions raised by the Committee for the benefit of new Members.

RESOLVED

To note the update.

18 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 12.07 pm.

Chairman