

<b>OVERVIEW &amp; SCRUTINY ANNUAL REPORT 2022-23</b>	
<b>Executive Summary</b>	This report aims to provide the Council with an outline of the role of the Overview & Scrutiny Committee, a summary of the work undertaken throughout 2022-23, and highlight any issues encountered by the Committee during this period.
<b>Options considered</b>	N/A
<b>Consultation(s)</b>	O&S Chairman
<b>Recommendations</b>	<p><b>It is recommended that Council notes the report, affirms the work of the Overview &amp; Scrutiny Committee, and considers the following concerns raised within the key issues section of the report:</b></p> <ul style="list-style-type: none"> <li>• <b>A high number of apologies and limited substitute availability needs to be addressed by Group Leaders.</b></li> <li>• <b>Some requested information has not been provided in a timely or satisfactory manner and needs to be addressed by Cabinet and officers.</b></li> <li>• <b>Delayed finance reports have had an ongoing impact on the work programme that needs to be addressed by officers.</b></li> <li>• <b>Non-attendance of the PCC at short notice impacted the Committee's crime and disorder update, and substitutes will therefore be requested in future.</b></li> </ul>
<b>Reasons for recommendations</b>	To inform Council of the work of the Overview & Scrutiny Committee in 2022-23 and address concerns raised.
<b>Background papers</b>	Overview & Scrutiny work programme 2022-23

<b>Wards affected</b>	All
<b>Cabinet member(s)</b>	N/A
<b>Contact Officer</b>	Matt Stembrowicz - Democratic Services & Governance Officer (Scrutiny) Tel: 01263 516047 Email: <a href="mailto:Matthew-stembrowicz@north-norfolk.gov.uk">Matthew-stembrowicz@north-norfolk.gov.uk</a>

<b>Links to key documents:</b>	
Corporate Plan:	All
Medium Term Financial Strategy	N/A
Council Policies & Strategies	N/A

<b>Corporate Governance:</b>	
Is this a key decision	No
Has the public interest test been applied	N/A
Details of any previous decision(s) on this matter	N/A

## **1. Introduction – Role of the Committee**

1.1 The Overview and Scrutiny Committee is the Council's primary oversight Committee that holds Cabinet to account and ensures that reliable services are provided, whilst best value for money is achieved. Introduced by the Local Government Act 2000, Scrutiny Committees are able to monitor internal Council affairs and also review the work of external bodies such as the Police, health providers, and utility companies.

1.2 As outlined in the Constitution, the Overview and Scrutiny Committee's terms of reference are as follows:

- To scrutinise and review decisions or other actions taken with respect to non-executive functions.
- To make reports or recommendations to Full Council or to Cabinet about one or more particular issue(s), service(s) or matter(s), which affects North Norfolk and its residents. Reports or recommendations may be carried out on whatever issue, service or matter the Committee thinks fit and may be carried out on any subject if the Full Council or the Cabinet requests it to do so.
- To carry out best value reviews.
- To act as the Council's Crime and Disorder Committee.
- To produce an annual report to Council on the work of the Committee over the year.
- To ensure effective scrutiny of the treasury management strategy and policies.

1.3 The remit of the Overview and Scrutiny Committee also includes undertaking policy review and development, monitoring performance management, promoting community well-being and improving the quality of life in the District. Scrutiny is Member-led and independent of party political arrangements. At North Norfolk District Council, the Overview and Scrutiny Committee is chaired by a member of the opposition. Scrutiny should always be viewed as a function which belongs to and benefits the whole Council.

2.2 Who participates in Scrutiny:

- The Chairman and Vice-Chairman of the Overview and Scrutiny Committee take a pro-active role throughout the process, attending pre-agenda meetings to steer and scope the direction of questioning and investigation.
- Overview and Scrutiny Committee Members – Scrutiny is different from other committees in that it calls for Members with investigative and creative minds who are prepared to "do their homework" out of the Council Chamber and think outside of the usual committee framework, tailoring the method of review to suit the topic.
- Cabinet Portfolio Holders are invited to attend meetings of the Committee to present and answer questions on reports relevant to their portfolio. The aim is that the Portfolio Member should have an opportunity to contribute to any issues relating to their portfolio.
- All non-Executive Members of the Council are routinely invited to attend Committee Meetings and offered the opportunity to ask questions on issues that matter to the residents they represent.
- Officers are involved in a number of ways – those directly involved in supporting the scrutiny process and those who are called to prepare reports for the Committee on a range of issues.

- Invitees and Witnesses can be called not just from within the Council, but from partners and public service providers.
- The public are welcome to attend meetings of the Committee with a provision to submit questions or statements 24 hours in advance, in order to raise issues of concern that they would like the Committee to consider.

### **3. Committee Role and Responsibilities**

- 3.1 Scrutiny of decisions made by Cabinet - The Overview and Scrutiny Committee routinely reviews decisions made by Cabinet to ensure that they are appropriate, justified and provide best value for money.
- 3.2 Pre-Scrutiny - This enables greater co-ordination between the Cabinet and Scrutiny work programmes, whereby the Committee can provide input into policy development and decisions prior to their approval. This process ensures that the Overview and Scrutiny Committee and wider Members can provide meaningful input into key issues, reducing the likelihood of call-ins. Some examples include:
- Commenting and providing input on corporate projects
  - Pre-scrutinising the annual budget.
  - Providing input during the policy development process.
  - Considering key strategies prior to approval.
- 3.3 Call-ins - All key decisions made by Cabinet that have not been pre-scrutinised are subject to a five day 'call-in' period, prior to implementation. This enables the Overview and Scrutiny Committee to consider whether any contentious decisions are appropriate, and provides the opportunity to recommend to Cabinet that the decision be reconsidered, if necessary.
- 3.4 Financial Scrutiny – This allows the Committee and wider Members the opportunity to review and comment on draft budget proposals, budget monitoring reports, the Medium Term Financial Strategy, and other financial strategies. Consideration of financial reports is a statutory requirement of the Committee's work programme.
- 3.5 Performance Monitoring - This is a quarterly item for the Committee that provides an opportunity to ensure that service areas are meeting performance targets, or to highlight issues where further investigation may be required. It is also important for holding the Cabinet to account, by considering whether the administration are meeting the objectives set within their Corporate Plan and subsequent Delivery Plans.
- 3.6 External Organisations - The Committee may request briefings on matters of concern from external organisations. These are usually followed by a Q&A session to gain further insight into the chosen subject. The Overview and Scrutiny Committee has a statutory obligation to oversee crime and disorder in the District, which is usually in the form of a briefing from the Police and Crime Commissioner, accompanied by senior Police Officers.
- 3.7 Focused/Rapid Reviews - The Committee may choose to look at a topic in depth over a specific period of time to consider whether the Council is achieving the necessary outcomes. This could be undertaken by the whole Committee as a rapid review in a single day, or as a smaller review by a Task and Finish Group, usually lasting six months.

- 3.8 Petitions - The Committee has an obligation to consider petitions received from members of the public, which can be submitted electronically or by hard copy. There is a threshold of 750 signatures required from within the District in order for the petition to be subject to full debate by the Committee.

#### **4. Work of the Committee 2022-23**

- 4.1 2022/23 was a busy year for the Committee on the lead-up to the 2023 local elections with many large projects either nearing or reaching completion, whilst in-depth reviews took place simultaneously, requiring the establishment of an Environment and Quality of Life Scrutiny Panel. Ten formal Committee meetings were held throughout the year, with apologies given on twenty-nine occasions and substitutes only covering eight absences. This equates to an average of almost three apologies per meeting, which suggests that some Members routinely struggled to attend Committee meetings. The Environment and Quality of Life Scrutiny Panel met six times, and focused primarily on the review of public conveniences.

- 4.2 Highlights from the 2022/23 Work Programme are listed below:

- Waste Contract - Changes to Target Operating Model: One of the Committee's key focuses in 22/23, was the changes made to the joint waste contract. This included a fundamental change to the collection routes and days that household waste bins were collected, in order to generate efficiencies and increase collection capacity. Whilst the changes were delayed in order to avoid the peak tourism season, the changes still caused significant service disruption that left many residents with repeated missed collections. In order ensure that there issues were addressed, the Committee called in Serco representatives on multiple occasions over consecutive months to maintain pressure on the contractor. Over ten meetings the waste contract was discussed on four separate occasions, with additional verbal updates provided by the service director. The GAP analysis of contractual obligations was also reviewed on two occasions to review progress in implementing outstanding elements of the contract.
- Environment and Quality of Life Scrutiny Panel: Established for a six-month trial period beginning in January 2022 the Panel focused on reviewing the Council's public conveniences provision. This work was undertaken over six meetings with support from the Projects and Programme Manager, and resulted in a substantive report reviewed by Cabinet containing fifteen recommendations, of which eleven were accepted including recommendations to undertake professional surveys of existing equipment provision, adopting a standard template and seeking to install more energy and water saving equipment. Whilst there are plans to revisit the recommendations in 2023-24 to determine progress, it should be noted that the Scrutiny Panel took on a substantial task and succeeded in delivering an effective piece of scrutiny that went well beyond the capacity of the Committee.
- Anglian Water - Sewage Outflows: Following an increase in sewage outflow events across the District, the Committee were asked by Full Council to engage with Anglian Water and undertake annual monitoring of SO events and the mitigation efforts taken to address them. Two Anglian Water representatives attended the May Committee meeting in order to provide a briefing which resulted in four recommendations. These included efforts to improve communication with the public on sewage outflow

events, improve data sharing with NNDC, ensure greater attention is paid to mitigation measures, and to facilitate a waste water treatment works site visit for Committee Members. With these issues persisting and in many cases worsening throughout the District and across the Country, further engagement with Anglian Water is expected in the year ahead.

- **Ambulance Response Times Monitoring:** Monitoring of ambulance response times continued throughout 22/23, with the Committee taking a more focused approach, specifically reviewing postcodes NR23-NR27 where the District suffers from some of the worst performance in the Country. The Committee was joined by representatives of EEAST and the ICB at the July meeting where Members were informed that many issues with ambulance response times are caused by ambulance turnaround times at hospitals, which are impacted by the number of beds available, suggesting that there are systemic issues. Whilst NNDC does not have a responsibility to monitor health matters like NCC's NHOSC, the Committee have continued response times monitoring as NHOSC primarily review aggregate data for the County that overlooks postcode specific issues in North Norfolk. Response times remain a significant concern for residents in coastal communities, and the Committee is therefore committed to continued monitoring to maintain pressure for improvements.
- **Pre-scrutiny of the Performance Management Framework:** Performance monitoring is a key role of the Committee, and as such it is important that Members have a say in how performance is monitored. Throughout the year several suggestions were made that would culminate in the Committee requesting three different performance reports. The first being the base performance management report which sets out the Council's performance against its Corporate Plan objectives, with a request made to report performance by exception on red and amber RAG status indicators only, significantly reducing the reporting burden and focusing the Committee's attention. In addition to the base report, Benchmarking and Contextual performance reports were requested to compare the Council's performance with similar authorities on national metrics, and to review the contextual measures on which the Corporate Plan was based.
- **Pre-Scrutiny – Draft Budget 23-24:** Given the financial context of the 2022/23 year, setting the budget was a particularly difficult task for the Finance Team. Within the initial draft however, anticipated staff-cost inflation was set at just two percent, which taking into consideration alongside national economic context, led the Committee to recommend that the budget for staff cost inflation be raised to five percent. This would allow for the ongoing cost of inflation and subsequent higher pay settlements to be covered, without the need for potential use of reserves. The Committee were also conscious to exercise additional caution, given that the Council's accounts have not received external audit sign-off since 2020, meaning that the budget, outturn position, and budget monitoring reports could be based on unverified assumptions.
- **Planning Service Improvement Plan – Action Plan:** Work continued on the Planning Service Improvement Plan instigated by the Committee in 21-22. Whilst consultation was delayed by GDPR constraints, an action plan outlining all measures was reviewed by the Committee in February with over thirty actions covering people, process and performance. Further updates on the outcome of consultation and the implementation of the Plan are expected in 23-24.

- Councillor Call for Action – Impact of Second Homes and Holiday Lets: In December 2021 a CCfA was called to request that the Committee consider the impact that second homes and holiday lets have on the District. The data report was presented to the Committee in July 2022 with six recommendations that sought to support Government proposals to increase Council Tax on second homes, require registration of tourism accommodation, increase planning controls on second homes and tourism accommodation, and also support the retention of increased Council Tax revenue by the authority. The report also challenged some existing prejudices by highlighting the importance of second homes and holiday accommodation to the tourism economy, and the impact of high numbers of retirees relocating to the District. Overall, the report represents an important piece of research that was reported in both local and national media.
- North Walsham High Streets and Heritage Action Zone - Project Monitoring: Throughout 22-23 the Committee continued to closely monitor the implementation of the project with updates received on four occasions. The Committee were also asked to review a request for additional funding, and whilst this recommendation was supported, it was subject to a request for further detailed information on how these funds would be spent in order to fully justify the expenditure. Throughout the year questions were also raised on where the original project contingency had been spent, generating the need for additional funding. In either case, some Members felt that information requested had not been provided to the Committee in a timely or satisfactory manner, therefore undermining the Committee's ability to properly scrutinise spending on an important Council project.

4.3 In summary, the Committee undertook a substantial amount of business throughout the year, with fifty-four reports or briefings, though this includes a number of recurring items such as performance and budget monitoring. Six of these topics could be defined as 'pre-scrutiny', in that they were reviewed by the Committee or the Scrutiny Panel in advance of consideration or approval by Cabinet or Council. This is a slight drop from the previous year, though the Committee undertook more investigatory work and held one less meeting. In total, the Committee made over seventy recommendations to Cabinet, Council and GRAC, with further action requests made to CLT and other officers. This equates to approximately seven recommendations per meeting, with only three not accepted throughout the whole year. The formation of a Scrutiny Panel greatly increased the capacity of the Committee and allowed for an in-depth review to take place on matters relating to key priorities of the Corporate Plan. Overall, the Committee remained highly active throughout the year with a focus on undertaking investigations and reviewing Cabinet decisions, whilst also maintaining oversight of Council services and performance.

## **5. Key Issues**

5.1 There were twenty-nine instances where apologies were given over 22-23, with substitutes only available on nine occasions. This equates to an average of just under three absences per meeting requiring substitutes, and whilst changes to Cabinet meant that previously reliable Committee Members and substitutes were no longer available, a greater commitment is required from Members to ensure attendance. It is hoped that following the election, newly appointed Committee Members will have the required time available to commit to their roles. However, Group Leaders must ensure that their Committee

appointments can either commit to attending meetings, or make all efforts to arrange a substitute when this is not possible.

- 5.2 Access to information has been a key issue for the Committee in 2022-23 with significant delays in receiving some requested information that go well beyond the ten working days outlined within the Constitution. For this reason, it is crucial to reiterate that any Member of the Overview & Scrutiny Committee is entitled to review any material relating to any business that has been transacted at a private meeting or a public meeting of a decision making body of the Executive (Cabinet) before or after a decision has been made, unless there is a specific reason this information cannot be shared, or the Member requesting the information cannot justify a 'need to know'. In order for the Committee to function effectively, it is critical that this is addressed as a matter of immediate concern.
- 5.3 Delays to financial reports remain a concern as they have impacted the work programmes of the Committee, GRAC and the Cabinet Work on several occasions. Whilst in some instances these delays are unavoidable, it is hoped that recruitment of additional Finance officers will help resolve delays and bring reports back on-track. Alongside limited external audit capacity, the lack of resource in the Finance Team has also impacted the accounts sign-off process with accounts not receiving external audit sign-off since 2020-21. This means that many financial reports or decisions reviewed by the Committee could be based on unverified assumptions, which presents a level of uncertainty and risk. The Committee therefore supports all efforts taken by GRAC and the Finance Team to bring the auditing of annual accounts back on track.
- 5.4 Whilst the PCC was invited to attend a Committee meeting in March to provide a briefing and update the Committee on the progress made with implementing his Police and Crime Plan, he unfortunately had to give his apologies at very short notice. In order to address similar issues from reoccurring again in the future, it is advised that a substitute should be arranged for future visits that can stand-in for the PCC, should he not be able to attend the meeting.

## **6. Corporate Priorities**

- 6.1 One of the Committee's key responsibilities is monitoring the performance of the Council against its corporate priorities. This is done on a quarterly basis to provide Members with an opportunity to ask questions or raise concerns, as a result the Committee helps to ensure that all corporate priorities of the Council are achieved.

## **7. Financial and Resource Implications**

- 7.1 There are no explicit proposals contained within the report that present financial or resource implications, however the Committee does in principle, support any operational actions taken by the S151 Officer to increase the available resource within the Finance Team, which will have an associated financial implication.

## **8. Legal Implications**

- 8.1 There are no legal implications presented within the content of the report.

## **9. Risks**

- 9.1 There are no immediate risks raised within the content of the report, however the key concerns outlined in section five may negatively impact the ability of the Committee to operate effectively, which could present a level of risk to the Council.

## **10. Net Zero Target**

- 10.1 There are no net zero implications presented within the content of the report.

## **11. Equality, Diversity & Inclusion**

- 11.1 There are no equality, diversity and inclusion implications presented by the content of the report.

## **12. Community Safety issues**

- 12.1 Whilst there are no direct community safety issues presented by the content of the report, the absence of the Police and Crime Commissioner's planned attendance for the crime and disorder update means that community safety issues may not have been given adequate attention in 2022-23. Efforts will be made to ensure that if the PCC cannot attend a Committee meeting in 2023-24, then a representative will be sent in his place.

## **13. Conclusions**

- 13.1 2022-23 was a challenging but productive year for the Committee, with several investigations and reviews that began in 21-22 that required significant time and resource to complete. The result of these investigations were positive recommendations that helped Cabinet and the Council to improve its services and adapt to rising challenges, most explicitly in the areas of public conveniences and the impact of second homes and holiday lets. The Committee also undertook important scrutiny work on external bodies, including Anglian Water and the Ambulance Service, both of which related to matters of significant concern for residents of the District. As a result, the Committee can also be seen to have worked in the public interest for the residents of North Norfolk, and will continue to do so in the year ahead.
- 13.2 The Committee made seventy-three recommendations to both Cabinet and Council, with further requests made for actions from officers. Only three recommendations were not accepted, which suggests that the work of the Committee was widely supported by all Members of the Council. Similarly, there were no decisions made by the Cabinet that warranted call-in by the Committee, which is a positive sign that Scrutiny and the Executive continue to work well together.
- 13.3 There are matters of concern for the Committee that have been highlighted under the key issues section of the report. These relate to the number of apologies given and substitutes arranged, access to information, delays to finance reports, and the absence of a briefing from the PCC. Members and officers are asked to reflect on these concerns and consider whether any actions for improvement can be made. Despite the challenges faced, the Committee was still able to provide valuable and effective oversight for the Council, whilst providing input into policy development, monitoring service performance, and undertake reviews or investigations. In summary, the Committee was clearly able to add value to the operation of the Council.