

OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 13 September 2023 in the Council Chamber - Council Offices at 9.30 am

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

Cllr V Holliday
Cllr C Cushing
Cllr L Vickers
Cllr J Boyle
Cllr R Macdonald

Cllr N Housden
Cllr P Fisher
Cllr M Batey
Cllr G Bull
Cllr M Hankins

Other Members Present: Cllr T Adams (Observer) Cllr W Fredericks (Observer)
Cllr L Shires (Observer) Cllr J Toye (Observer)
Cllr L Withington (Observer)

Officers in Attendance: Democratic Services and Governance Officer - Scrutiny (DSGOS), Chief Executive (CE), Democratic Services Manager (DSM), Director for Place & Climate Change (DFPCC), Director for Communities (DFC), Assistant Director for Finance, Assets, Legal & Monitoring Officer (MO), Revenues Manager (RM), Policy and Performance Management Officer (PPMO) and Assistant Director for Planning (ADP)

Also in attendance: Peer Review attendees

35 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

36 SUBSTITUTES

None.

37 PUBLIC QUESTIONS & STATEMENTS

None received.

38 MINUTES

Minutes of the meeting held on 12th July 2023 were approved as a correct record and signed by the Chairman.

39 ITEMS OF URGENT BUSINESS

None received.

40 DECLARATIONS OF INTEREST

None declared.

41 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

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

- i. The Chairman referred to a question received from Cllr C Cushing on the NWHS SHAZ project and read-out the question to the Committee.
- ii. The CE stated that there had been correspondence around some elements of the funding of the project, and that communications between the Chairman of the Committee and officers had resulted in a meeting with the Chair, Vice-Chair, Cllr N Housden, the DFPC, and the AD SG. He added that the meeting was reported to have been useful, but otherwise he was happy to provide a written response, unless there were any further questions.
- iii. Cllr C Cushing stated that he had raised the issue as the original questions had been raised in December 2022, on the basis that previous project updates had given no indication of the need for additional funding. He added that there was no indication within the funding request as to how the figure had been calculated, and this was therefore requested by the Committee in a not unreasonable request. It was noted that any change requests made throughout projects should be properly explained, and it was surprising that this had not been included in the original report. Cllr C Cushing asked when the requested information would eventually be provided, given that it had been requested in December 2022.
- iv. Cllr S Penfold stated that he was not in full agreement with Cllr Cushing, as it was his opinion that the funding request had been fully explained. He added that despite this, the meeting held with officers had been useful for providing greater detail on the questions raised by the Committee. It was noted that the project was yet to be completed, and some figures contained within the £400k remained to be determined. Cllr S Penfold stated that it would have been helpful if there had been some warning of the potential need for additional funding earlier in 2023.
- v. Cllr N Housden stated that he agreed with Cllr Cushing, and said that he had raised the initial question about project contingency, and whilst the meeting with officers had been particularly helpful, it was unfortunate that the information could not have been provided in a more timely manner. He added that in future the Committee should be more investigative in its questioning, and he would like to see shorter, more definitive reports going forward.
- vi. The Chairman stated that despite the positive meeting with officers, it had still taken several months to review requested information, and efforts had to be made to improve information sharing. He added that many new Committee Members would be unaware of the full details surrounding the matter, and therefore proposed that it would be helpful to have a concluding report at the next meeting to draw together key points and outline the context of the discussion. Cllr N Housden seconded the proposal.
- vii. It was noted that a written reply would also be prepared in respect of the question posed by Cllr C Cushing, but in reference to requests made for a

written response in advance, it was unlikely that these could be prepared in time, and there was no requirement for this within the Constitution. The Chairman suggested that if possible, it would be helpful to receive written responses in advance of meetings in the future.

- viii. Cllr S Penfold reiterated his invitation to all Committee Members to attend a visit to North Walsham to review the scheme in person, following consideration of the report.
- ix. The Chairman noted that it may be helpful to receive a concluding report upon completion of the project that took into account both the positive and negative outcomes of the project.

RESOLVED

- 1. To request that an update report is prepared for the October meeting to summarise the enquiries made and provide the requested information.**

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

The DSGOS stated that recommendations from the Outturn and Treasury Management reports had been accepted at the July meeting of Full Council.

44 BUDGET MONITORING P4 2023/24

Cllr L Shires – Portfolio Holder for Finance and Assets introduced the report and stated that the budget position could fluctuate significantly, but the projected full year overspend of £25k was expected to come from IT costs and returns from the cancelled Mammoth Marathon. She added that she welcomed comments on the format of the report to ensure Members fully understood the financial information provided.

Questions and Discussion

- i. Cllr C Cushing noted that there had been a number of additions to the budget since February, and asked whether there was a systemic reason for this, and whether the Finance Team were able to cope with the significant changes. Cllr L Shires replied that on issues such as the Marram's footpath expenditure, it was a matter of health and safety, though it was right to ask why the Council had not been more proactive in maintaining the footpath to avoid unexpected costs. It was noted that public conveniences in Holt had been hit by a car, and additional funding was required to repair and improve the facility. Cllr L Shires stated that many other budget additions were the result of external funding received, and would not negatively impact the Council's finances.
- ii. Cllr C Cushing stated that external audit sign-offs were known to be two years behind schedule, and in addition to EY's limited resources there had also been resource limitations in the Finance Team, and sought assurance that the Team would be given adequate resource to meet requirements. He added that the report contained much more information than was required for a quarterly update, and suggested that it may help to make reports more concise going forward. Cllr L Shires replied that a fine balance had to be found on the level of information provided as it was sometimes helpful to

include all information to be able to drill down into issues. She added that she did aim to make the reports as accessible as possible, and additional training could be arranged if required.

- iii. The Chairman referred to the backlog in annual accounts sign-off and asked whether the financial starting position of each year could be considered sound, and not subject to change. He added that this represented a risk which had not been recognised in section nine of the report, and asked whether there was a reason for this. Cllr J Toye stated that this issue was discussed at GRAC where it had been acknowledged as a risk, but remained hopeful that the 20/21 accounts would be signed-off by the end of the week, with an expectation for the 21/22 accounts to be signed-off by March 2024. He added that despite the concerns, the Council was clear of many financial issues faced by other authorities. It was noted that several accounting disagreements on the annual accounts which had delayed sign-off related to recording practices rather than financial discrepancies, with a pension fund allocation the final issue that had to be agreed for sign-off. The Chairman acknowledged the comments but suggested that he would expect to see recognition of the risk under section nine of the report. Cllr L Shires stated that she accepted that the risk was real, and whilst she had faith in officer's abilities to mitigate these risks, she would seek a written response on why it had not been included.
- iv. Cllr L Vickers noted the uncertainty of unaudited accounts and asked whether NNDC had done everything possible to achieve sign-off of the annual accounts. The CE replied that there had been a delay in sign-off of the 19/20 accounts due to a Public Interest Disclosure Act deferral, and whilst this had been completed in March, it had caused a delay with subsequent annual audits. He added that this had also come at a time when there had been national shortages in the external audit sector and updates to statutory guidance which had further delayed the audit process including the treatment of fixed infrastructure assets, which had applied to NNDC's fixed coastal defences. It was noted that 21/22 accounts had to be completed by March 2024, and the Council would endeavour to achieve this. The CE stated that the Finance Team was not adequately resourced at present, but was actively recruiting for a Chief Technical Accountancy to increase capacity. The Chairman asked whether EY could proceed with the 21/22 audit, if they had the necessary capacity to do, to which the CE confirmed the draft accounts were complete, which would allow EY to proceed if the external resource was available.
- v. Cllr V Holliday referred to borrowing on p52, and noted that the Council appeared to be borrowing £10m to pay back £6.2m, and asked if there was any reason for this. Cllr L Shires stated that she was already looking to ask this question, and would seek to provide a written reply. The CE stated that this was the result of a cashflow issue, as the Council had to repay Covid grants based on a business rates assessment, and whilst this money had been invested, its repayment required short-term borrowing to maintain cashflow.
- vi. Cllr N Housden referred to point 4.5 and asked why the Council was seeking an insurance claim of £120k rather than the full £370k required to rebuild the public convenience. Cllr L Shires stated that this would allow the Council to improve the building with changing places funding, whilst also reducing its carbon footprint, so the building was not being repaired like for like, and

required additional funding.

- vii. The recommendations were proposed by Cllr S Penfold and seconded by Cllr G Bull.

RESOLVED

- 1. To note the contents of the report and current budget monitoring position.**

To recommend the following to Full Council:

- 2. That a new capital budget of £0.050m is added to the capital programme to fund repair works to the Marrams Footpath, with funding coming from the Council's Capital Receipts.**
- 3. That a new capital budget of £0.370m is added to the capital programme to demolish and rebuild the Public Conveniences at Albert Street, Holt with £0.120m to be funded from an insurance claim and £0.250m to be funded from the Council's Capital Receipts.**
- 4. That a new capital budget of £1.040m is added to the capital programme in respect of the Local Authority Housing Fund.**
- 5. That the current Provision of Temporary Accommodation Budget is increased by £0.178m to £0.983m for 2023/24 following receipt of the Local Authority Housing Fund grant.**
- 6. That a capital budget of £1.458m be added to the capital programme for the Rural England Prosperity Fund expenditure and £0.266m be added to the capital programme for the UK Shared Prosperity Fund expenditure as shown in paragraph 4.7 and note that this will be funded by external funding.**
- 7. That a capital budget of £14.610m be added to the capital programme as shown in paragraph 4.8 and note that the project will be funded by external funding.**

ACTIONS

- 1. Written response to be provided to Committee on questions raised by Cllr N Dixon on recognition of risks relating to delays with external audit of accounts, and Cllr V Holliday on need for £10m borrowing to repay £6.2m**

45 MANAGING PERFORMANCE QUARTER 1 2023/24

Cllr T Adams – Council Leader introduced the report and stated that pressure had continued on affordable housing in a difficult landscape with approximately sixty-five people in temporary accommodation due to increased levels of homelessness. He added that the Invest North Norfolk initiative had been launch and the Council had received a good level of contact on grants, whilst the Cedars building had sixty percent tenancy agreed in principle with further solid interest. It was noted that further capital investment had been made to support businesses and to meet net zero goals, whilst customer contact had also increased significantly. Cllr T Adams informed Members that works on the solar project at the Reef had been completed and was performing exceptionally well, whilst leisure centres continued to exceed

expectations in terms of use and membership. He added that thanks should be given to the RNLI and lifeguards for all their work throughout a busy summer, and that public convenience works had finished in Fakenham, with attention now turning to Holt. It was noted that Council Tax collection remained strong and showed exemplary performance from the Team.

Questions and Discussion

- i. Cllr V Holliday referred to housing and suggested that this could be a topic for investigation with issues such as the loss of private rentals, and asked whether the Council could take any steps to address this. She added that delivery of affordable housing was also difficult, with over one hundred planning applications waiting, and asked whether any affordable housing applications could be given priority, once nutrient neutrality issues had been resolved. Cllr T Adams stated that there were a number of factors influencing homelessness and the Council was doing what it could to help those in situations of domestic violence, family breakdown, and other issues causing homelessness. He added that thought did need to be given to prioritisation of planning applications once nutrient neutrality restrictions had been resolved, but it was not a conversation that he'd been involved in. It was noted that there were also businesses struggling with delays to development, and there had to be a balance to the consideration of applications. The ADP stated that conversations on clearing the backlog of planning applications had begun, with recent news suggesting that the Government may try to reverse nutrient neutrality legislation. He added that the Council had in excess of one-hundred applications in its backlog, and clearing these would be a significant challenge. It was noted that whilst affordable housing was a relevant consideration, it was not the only one, and the process had to be dealt with in a fair manner. Cllr W Fredericks stated that work had begun with an independent consultant to determine how to deliver affordable homes faster, but it was a complex subject and would be discussed as part of the Corporate Plan workshop sessions. She added that not all affordable housing was delivered separately from market value housing, and developers often had to deliver market value housing to make affordable housing viable.
- ii. Cllr V Holliday referred to customer service and noted that whilst call numbers were fairly stable, call times had reduced significantly, and asked if there was an explanation for this. Cllr L Withington replied that calls were highly dependent on the time of year and corresponding issues, with April seeing a high number of calls for garden bin renewals. She added that it could be that officers were better able to respond to certain queries, and that calls were also now being categorised into level one and level two, with different call handlers for different queries. It was noted that efforts were being made to make more information available online, and that the chatbot service had also gone live to help people self-serve using the NNDC Website. Cllr V Holliday suggested that it may be related to the complexity of questions, but she accepted that this could vary according to the time of year. Cllr L Withington noted that some queries led to further enquiries and this could increase call length to avoid creating additional work for back office staff.
- iii. Cllr N Housden stated that overall the report seemed to suggest possible issues with under-resourcing and asked if there were issues throughout the organisation with staff shortages. Cllr T Adams replied that capacity was a

concern as a result of vacancies and staff absences, with some areas particularly difficult to recruit to, though matters had moved on since publication of the report and this should be taken into account. The CE stated that there were no significant issues in terms of staff vacancies, and it had been highlighted at a recent JSCC meeting that the Council was not an outlier in terms of staff turnover and speed of recruitment. He added that the Council had to operate within a set budget, and this had to be taken into account alongside increases in demand for services. Cllr N Housden stated that the Council was moving into a difficult time, and had to consider strategy and staffing for the future, as it would only get more difficult to recruit.

- iv. Cllr C Cushing referred to the Fakenham roundabout project and asked if officers had a view on how the project would progress alongside the Fakenham urban extension, if nutrient neutrality legislation was lifted. The DFPCC stated that the Council would have to wait until legislation had been passed before the urban extension and related roundabout could be significantly progressed, but the developer had expressed confidence that they could deliver the project once this had taken place. He added that in the meantime he would seek to ensure that any grants required were carried onto into the next year to ensure that the project could be delivered by autumn 2024.
- v. Cllr N Housden asked whether there was any scope to give priority to section 106 applications once nutrient neutrality legislation had been lifted. The DFPCC replied that there were applications currently being considered that should be determined well in advance of legislative changes, and it was unlikely that any prioritisation would be required. He added that his main priority was to ensure that funding was available for projects such as the Fakenham roundabout. The ADP stated that there were a number of applications held up in the S106 stage that had been through the Committee process and were awaiting signature, and these should be relatively easy to recommence, but checks would need to be made to ensure that they remained viable.
- vi. The recommendation was proposed by Cllr S Penfold and second by Cllr R Macdonald.

RESOLVED

- 1. That the Overview & Scrutiny Committee consider and comment upon issues within the report for subsequent consideration by Cabinet.**

46 DEBT RECOVERY REPORT 2022-23

Cllr J Toye introduced the report on behalf of Cllr L Shires and stated that the Council were the top in Norfolk and top five nationally for business rates collection, and top eleven nationally and second in Norfolk on council tax collection. He added that there had been a significant shift from housing benefit claims to universal credit during the pandemic, which had made recovery more difficult, as housing benefit mis-payments could not be recovered through universal credit.

Questions and Discussion

- i. Cllr V Holliday stated that it was a difficult report to understand, but she had received support and advice from the RM. Cllr J Toye asked whether there

were any points that made the report easier to understand, to which Cllr Holliday replied that it contained a lot of technical language and Covid movements had not been clearly labelled, which could be improved with a glossary of terms. Cllr S Penfold agreed that a glossary of terms would be particularly helpful.

- ii. Cllr N Housden referred to the changes in housing benefit to universal credit, and stated that it would be useful to understand how and when this change had taken place. The RM replied that the report covered a number of services and stated that housing benefit overpayments and collections were a complex issue but information could be sought from HMRC.
- iii. The RM stated that one of the key recommendations in the report was to increase the delegated authority limits for debt write-offs, with Team Leaders limits doubled to £4000, whilst the RM's limit would double to £20k to make the service more efficient. He added that the DFR and deputy 151 officer would be given the authority to write-off debts of up to £30k whereas figures over this would be referred to the DFR or CE in liaison with the Portfolio Holder. It was noted that debts as a result of insolvency were unavoidable and could not be recovered, whilst other common reasons for write-offs included 'gone aways' where those with debts could not be found. The DFR referred to performance and stated that business rates arrears had stood at £329k, with £200k collected since 1st April bringing total arrears down to £129k. He added that council tax arrears had stood at £4.1m, with £759k collected since 1st April, bringing the total down to £3.3m.
- iv. Cllr N Housden stated that it would be helpful to know whether the number and level of debt write-offs was comparable to national standards, to which the RM replied that national guidance was provided and write-offs were treated with careful consideration.
- v. The DFC stated that universal credit enabled a single payment of benefits, and whilst this did not affect all claimants, some benefits covered by this payment were now more difficult to reclaim. He added that it may be more efficient for benefit claimants, but did make the Council's job more difficult.
- vi. The recommendations were proposed by Cllr P Fisher and seconded by Cllr M Batey.

RESOLVED

To recommend the following to Full Council:

- 1. To approve the annual report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection.**
- 2. To approve the suggested changes to the delegated authority as shown in appendix 2 for write offs.**

47 ENFORCEMENT UPDATE - SEPTEMBER 2023

The DFPCC introduced the report and informed Members that cases referred to in the report were live cases, and only a limited amount of information could be provided to the Committee in a public meeting.

Questions and Discussion

- i. Cllr C Cushing stated that he found it difficult to understand which cases were getting better or worse from the content of the report and suggested that it would benefit from an executive summary to highlight key points. He added that the report would also benefit from a table to show the number of enforcement cases and a timeline to gain better perspective on the number of cases resolved. The DFPCC stated that the update focused primarily on the eighteen significant cases, with four of these outlined in the report. He added that of this eighteen, four were related to Melton Constable Hall, which was a particularly complex issue. It was noted that others included properties in Fakenham, Tattersett, and Cley amongst others. It was noted that the update covered combined enforcement which included revenues matters as well as planning issues, in order to bring properties back in to use.
- ii. The Chairman suggested that it would be helpful to use specific dates and metrics to help clarify actions within the report. He referred to a stated reduction in caseload though the caseload appeared to have increased and suggested that the report may require amendment.
- iii. Cllr S Penfold referred to the case in Norwich Street Fakenham and asked when a report would be submitted to Cabinet and what steps were being taken to recover all money owed to the Council by the freehold owner of the property. The ADP stated that he had recently taken the lead on the case and expected a report on potential actions by the end of the calendar year. He added that this would not necessarily conclude the action, but would determine which course of action should be taken going forward.
- iv. Cllr V Holliday referred to the number of enforcement cases closed and asked how many had been closed as a result of enforcement action and how many were the result of action no longer being required. The DFPCC replied that he would provide a written reply after the meeting.
- v. Cllr N Housden referred to Tattersett and suggested that it would be helpful to provide potential end dates to proceedings with best and worst case scenarios, to provide clarity on progress. The DFPCC replied that Sutton Mill did have an expected date of completion, whereas Tattersett was expected to take approximately two years to complete if progress wasn't improved, and he would endeavour to provide this information where possible.
- vi. The Chairman referred to the case of the King's Head in Hoveton and declared that it was in his ward, and whilst he was mindful that it was a joint authority issue, he saw little evidence of any progress in closing the case from either authority. He added that the building had been in a dilapidated state for over twenty-five years, and noted that it was in a prominent place that had a considerable impact on tourism. It was noted that the Parish Councils of both Hoveton and Wroxham were very concerned due to a lack of progress. The Chairman stated that more emphasis had to be made to resolve the case, and he offered his support if required. The DFPCC replied that NNDC had a limited role but would work with the Broads Authority on how best to proceed.
- vii. The recommendation was proposed by Cllr R Macdonald and seconded by Cllr P Fisher.

RESOLVED

1. That the Committee notes the continued progress of the Enforcement Board and the Combined Enforcement Team.

ACTIONS

1. Written response required on percentage of cases closed as a result of enforcement action and percentage of cases where enforcement action is no longer required.

48 PLANNING SERVICE IMPROVEMENT PLAN UPDATE

The ADP introduced the report and stated that it had been requested to understand the role and performance of statutory planning consultees in responding to applications. He added that approximately fifty percent of the PSIP actions had been completed, with the remainder expected to be completed by the end of the municipal year, which would tie in with commitments in the Corporate Plan. It was noted that customer feedback had been sought from applicants, but very few responses had been received. The ADP stated that statutory consultee data was provided in section six of the report, and noted that statutory consultees had a period of twenty-one days to either comment or decline to comment on the application. He added that applications could not be determined until the consultation period had been completed, though it was noted that this timeframe did not coincide particularly well with Parish and Town Council meetings, which meant that late comments were often received after the consultation period. It was noted that information on application extensions was also included, in respect of the eight week target date for determination which could be extended with the agreement of the applicant or agent, though officers were keen to see the number of extensions reduced. The ADP stated that beyond this, officers were keen to develop a broader range of KPIs for the Planning service that would help Members better understand performance.

Questions and Discussion

- i. The Chairman noted that the frequency and timing of Town and Parish Council meetings not syncing with planning consultations would likely always be an issue, but it was encouraging to hear of the flexibility offered. The ADP replied that whilst there was some flexibility, he encouraged Members on Parish Councils to contact case officers in advance if it was known that there would be a late submission.
- ii. The Chairman referred to agreed extensions and noted that there was a balance to be struck between the quality of work and applicants needs, and asked whether businesses that offered economic growth were given any priority. The ADP replied that there were many different calls on priority, and the aim would be that extensions were only sought where more information or a response was required from the applicant, rather than as a result of delays caused by the Council.
- iii. Cllr P Fisher referred to comments that some Parish and Town Councils were better at responding to consultations than others, and noted that he had requested training for Wells TC's new influx of Councillors, and asked when this would be delivered. The ADP replied that this training had been discussed at a recent meeting of the Town and Parish Council Engagement

Forum, and the first session had recently been held in Stalham, with Wells next in-line. The DFPCC stated that he would like to see training offered to Wells and the surrounding areas by late October or early November, to allow ample warning for attendance.

- iv. Cllr N Housden asked whether on the whole statutory consultees replied in good time, to which the ADP replied that it was variable, with a response received on approximately seventy percent of applications, though only forty-six percent replied within the required timeframe, though some were better than others. Cllr N Housden stated that he sat on the Internal Rivers and Drainage Board, and noted that there had been continued criticism of all LPAs on the insufficient cross-flow of applications, and suggested that greater emphasis should be placed on engaging with drainage boards. The ADP stated that he would be happy to discuss this, but there was likely some misunderstanding amongst applicants of how the IDB operated.
- v. Cllr J Toye noted in regards to the prioritisation of applications, that Members must remember that Planning was a fee based service, and every customer should be treated equally.
- vi. Cllr C Cushing referred to Town and Parish Council training and asked if there was a training plan for the whole District, or just specific areas, as Fakenham would be interested in this opportunity. The ADP replied that there was an expectation to cover the whole District but full plans were yet to be established and it was a resource intensive process which may take some time to achieve.
- vii. The Chairman proposed that a closing report be prepared for approximately one year's time, to allow for completion of the PSIP and a review of the performance improvements seen as a result. Cllr S Penfold agreed with the proposal but asked whether it may be prudent to bring this forward slightly sooner than September 2024. The ADP replied that some time between July and September would allow for completion of the PSIP and collection of data to report on its impact.
- viii. Cllr N Dixon proposed to note the report and request a concluding report be added to the work programme for July 2024. The recommendations were seconded by Cllr S Penfold.

RESOLVED

- 1. To note the content of the report.**
- 2. To request that a concluding report be added to work programme for July 2024 to include a summary of performance following the full implementation of the PSIP.**

49 OVERVIEW & SCRUTINY ANNUAL REPORT 2022-23

The DSGOS introduced the report and informed Members that it covered the work of the Committee throughout the 2022/23 municipal year prior to many current Committee Member's election to the Council. He added that Members should draw their attention to the key issues section of the report and outlined that the first related to twenty-nine instances where apologies had been given with only nine substitutes arranged, equating to approximately three apologies per meeting. The second point

related to access to information, which had been a key concern for some Members of the Committee, having taken approximately ten months to receive requested information on the NWHSHAZ project. The third issue related to delays with financial reports, with some delayed by an entire quarter, which had a significant impact on the Committee's and Cabinet's work programme. The final point related to the PCC giving very short notice of his inability to attend a meeting, and it was therefore suggested that a substitute would be sought for his next briefing. The DSGOS stated that the Committee had made seventy-three recommendations to Cabinet and Council, not including action requests made to officers, with only three recommendations not supported as they related to urgent requests that could not be completed. He added that this was a positive sign that recommendations were well founded and that the Committee had a meaningful impact on Council business.

Questions and Discussion

- i. The Chairman suggested an amendment that would take account of Cabinet's role in helping to provide information requested by the Committee, and proposed that 'and Cabinet Members' be added to the second bullet point in the recommendations. Cllr S Penfold stated the recommendation was too broad, as it was only selected instances where information had not been provided as requested. He added that in most cases information was provided in a timely and satisfactory manner, and suggested that the addition of 'some' information, may be a helpful amendment. The Chairman agreed that it was a fair point and suggest that he would be willing to accept the amendment.
- ii. Cllr S Penfold stated that as Vice-Chair he had not seen the report and suggested that it would have been helpful to have reviewed a draft by email, but accepted that he had missed the pre-agenda meeting where it was discussed. He added that comments on the NWHSHAZ did not reflect the divergence of opinion that was held by the Committee, and suggested that he amongst other Committee Members felt that the necessarily level of information had been provided to justify the funding uplift. It was suggested that 'some Members felt that' could be inserted before 'the requested information' to again show that there was a divergence of opinion on the matter.
- iii. Cllr N Housden stated that he would prefer the report to stay as written, as the issues identified a point in time when information had not been provided, as requested by the Committee. He added that it was unacceptable for the Committee to have to wait ten months for information to be provided and therefore suggested that the comments should remain unchanged. Cllr S Penfold stated that though he did not fully agree with Cllr Housden, a minor amendment to the wording would allow for both points to be adequately addressed. The Chairman suggested that the addition of 'some' information to both the statements in the report and within the recommendation would reflect the different feelings held amongst the Committee. Cllr S Penfold reiterated that he would prefer the comments to include 'some Members felt that', to properly reflect the divergence of opinions on the Committee, and proposed the change, with Cllr P Fisher seconding the amendment.
- iv. Cllr C Cushing stated that given that many Members of the Committee had changed, he felt that the addition of 'some' Members was a fair compromise and that the report did not require further amendment.

- v. Cllr G Bull stated that whilst he was a new Member of the Committee, he was aware that the issue had been a point of contention and it did appear as though there had been a divergence of opinion which Councillors were entitled to. He added that he didn't think Cllr Penfold's proposal was unfair as it seemed a reasonable compromise.
- vi. The DSM stated that the Annual Report was prepared by the Scrutiny Officer on behalf of the Committee to provide an objective review of the previous year, and suggested that given that there had been a change in Membership, Members should take that objectivity into account when seeking to amend the report. She added that Members should also take into account the number of new Members on the Committee that were not present in the period covered by the report.
- vii. Cllr S Penfold's amendment to include 'some Members felt that' was approved for inclusion in the report before recommendation to Full Council.
- viii. The substantive recommendations were proposed for approval by Cllr S Penfold and seconded by Cllr P Fisher with the addition of 'some information' and 'and Cabinet Members' in the second bullet point of the recommendations, as well as the addition of 'some Members felt that' in the body of the report, as discussed.

RESOLVED

1. To recommend that Full Council notes the report, affirms the work of the Overview & Scrutiny Committee, and considers the following concerns raised within the key issues section of the report:

- **A high number of apologies and limited substitute availability needs to be addressed by Group Leaders.**
- **Some requested information has not been provided in a timely or satisfactory manner and needs to be addressed by officers and Cabinet Members.**
- **Delayed finance reports have had an ongoing impact on the work programme that needs to be addressed by officers.**
- **Non-attendance of the PCC at short notice impacted the Committee's crime and disorder update, and substitutes will therefore be requested in future.**

50 DELEGATED DECISIONS (MARCH TO AUGUST 2023)

No questions raised by Members.

RESOLVED

1. To receive and note the report.

51 THE CABINET WORK PROGRAMME

The DSGOS informed Members that the Managing Performance report had been delayed due to sickness absence, and Cabinet would therefore review the item in October. He added that a number of reports had been deferred from the October Cabinet work programme, and as a result only four reports were expected, with

others delayed until November.

RESOLVED

To note the Cabinet work programme.

52 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

- i. The DSGOS stated that whilst the Managing Performance report had been delayed due to sickness, the officer responsible for the benchmarking and contextual reports was also on long-term sickness absence, and as a result would not be able to provide the reports until December, alongside the next Managing Performance Report. He added that pre-scrutiny of the Delivery Plan was on the work programme for October, but the workshops planned to form the actions were not expected to conclude until after the October the agenda had been published, but efforts would be made to get a report to Committee Members prior to the meeting. It was noted that access to NHS dentistry services was expected on the October agenda for discussion, and information requests had been made to the ICB accordingly, though attention should also be paid to any work done by NHOSC. The DSGOS stated that a review of the Scrutiny Panel terms of reference would also be brought forward so that the Committee was able to respond accordingly when Corporate Plan projects began.
- ii. The Chairman suggested that it may be useful to hold a workshop to discuss the work programme for the remainder of the year ahead.

RESOLVED

To note the Overview & Scrutiny work programme.

ACTIONS

Online workshop discussion to be held on arrangement of work programme.

53 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 12.14 pm.

Chairman