

# Report to Overview and Scrutiny Committee

22 July 2019

By the Chairman of the Overview and Scrutiny Committee



**Horsham  
District  
Council**

## INFORMATION REPORT

Not Exempt

Overview and Scrutiny Annual Report 2018/19

### Executive Summary

This report provides a review of the work of the Overview and Scrutiny Committee during the municipal year 2018/19.

### Recommendations

The Committee is recommended to:

- i) Refer the report to Council for noting.

### Reasons for Recommendations

- i) To tell the Council about the work of the Overview and Scrutiny Committee during the municipal year 2018/19 as required by the Constitution.

### Background Papers

Final Report on the Review of Councillors' Technology Task and Finish Group, 24<sup>th</sup> September 2018

Final report of the Census, Revenues and Benefits Task and Finish Group, 26<sup>th</sup> November 2018

Final Report of the Engagement of Overview and Scrutiny Task and Finish Group, 26<sup>th</sup> November 2018

Final Report of the Traffic Around Primary Schools Task and Finish Group, 23<sup>rd</sup> January 2019

Final Report on how West Sussex County Council S106 funds currently held by HDC were agreed and monitored, 25<sup>th</sup> March 2019

**Wards affected:** All

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Jane Eaton, Director of Corporate Resources, 01403 215300

## **Background Information**

### **1 Introduction and Background**

- 1.1 The Local Government Act of 2000 introduced the Cabinet system to speed up Council decision-making. The Act required all councils operating cabinet governance arrangements to have an Overview and Scrutiny Committee as a counterbalance to the Cabinet.
- 1.2 Overview and Scrutiny aims to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local people. Members of Overview and Scrutiny are encouraged to have an independent mind set and it is important to safeguard the independence of the Overview and Scrutiny Committee. The Committee has the right to receive reports and other information in a timely manner in order to be able to question decisions.
- 1.3 Overview and Scrutiny's role is to question the Cabinet, officers and representatives of other organisations and make recommendations to the Cabinet or Council. Overview and Scrutiny should improve the Council's decision-making process and make it clear and accessible.

### **2. Chairman's Comment**

- 2.1 It has been a privilege and a pleasure to Chair the Overview & Scrutiny Committee (Scrutiny) in 2018/19, the final year of the Council Term.
- 2.2. The members of the Committee, overall, demonstrated goodwill, hardwork, dedication and support for the Scrutiny process which is designed to provide the role of "critical friend" and to act as a check and balance on the Executive.
- 2.3 The effectiveness of Scrutiny, in my opinion, is demonstrated in the range of issues and topics considered/investigated by the Committee during the year; ranging from local concerns on car parking issues at a primary school to a review of the Council's Revenue and Benefits system which is one of our major statutory responsibilities undertaken on behalf of the Government.
- 2.4 Some specific tasks reflected the concerns of individual members of Scrutiny including review of the total 106 funds available, their allocation to parish councils and the role of West Sussex County Council in the allocation and engagement with parish councils in the disposal of these funds. Also the criteria for the disposal of, financial assessment involved and the prioritisation of the sale of Council properties.  
  
The availability of and the integration of Council IT hard and software with Members' requirements and personal kit was considered.
- 2.5 The Committee as a whole raised the issue of the cost and effective delivery of the Revenue and Benefits payments and the role of our major partner in the CenSus Partnership.

This was a lengthy and complex Task and Finish exercise which proved to be productive in ensuring that a wide ranging and critical approach was adopted in the choice and parameters of partnership schemes.

- 2.6 One of the last Task & Finish Groups initiated by the Committee during the year was to review the effectiveness of Scrutiny in monitoring the Councils 'operations as a whole. To that effect they proposed three Working Groups covering Finance and Performance; Business Improvement and Community Affairs.

### **3. Relevant Council policy**

3.1 Overview and Scrutiny contributes to all Council policies.

## **4. Details**

### **4.1 Role of the Overview and Scrutiny Committee**

4.1.1 The role of the Overview and Scrutiny Committee is set out in paragraph 6.2 of the Horsham District Council Constitution:

- i) Assist in the strategic development of policy.
- ii) Review issues of local concern.
- iii) Review the policy of others within and outside the Council.
- iv) Call-in Cabinet decisions.
- v) Scrutinise the Council's decision-making processes.
- vi) Monitor the internal and external delivery of services.
- vii) Review specific services.
- viii) Monitor and scrutinise the activities of outside bodies.

### **4.2 Membership in 2018/19**

4.2.1 At the start of the 2018/19 year the Committee members appointed by Council were: Toni Bradnum, Paul Clarke, David Coldwell, Leonard Crosbie, Jonathan Dancer, Matthew French, Billy Greening, Nigel Jupp, Tim Lloyd, Mike Morgan, Brian O'Connell, Kate Rowbottom, Ben Staines, Michael Willett. There was one vacancy on the Overview and Scrutiny Committee at the start of the year. The Committee elected Leonard Crosbie Chairman and David Coldwell Vice-Chairman.

4.2.2 Councillor Lambert filled this vacancy by after her election to the Council in late May 2018.

### **4.3 Work completed by the Committee during 2018/19**

4.3.1 The Overview and Scrutiny Committee received quarterly reports on the Council's corporate plan priorities, finance and performance for the financial

year. They questioned the Director of Corporate Resources on points of detail in these reports and referred questions to other officers for written replies.

- 4.3.2 In June 2018 the Overview and Scrutiny Committee received an annual update on Crime and Disorder. This is one of its statutory roles.
- 4.3.3 In November 2018 the Committee reviewed the Medium Term Financial Strategy on its way to Cabinet and the Chairman took the Committee's views to the Cabinet meeting.
- 4.3.4 In January 2019 the Committee reviewed the Budget and the revised Medium Term Financial Strategy on their way to Cabinet and the Chairman took the Committee's views to the Cabinet meeting.
- 4.3.5 In March 2019 the Committee reviewed the report to Cabinet on the proposal to sell surplus Council assets prior to the Cabinet decision. The Chairman took their comments to the Cabinet meeting.
- 4.3.6 The Overview and Scrutiny Committee held Cabinet member interviews at each meeting during the year.
- 4.3.7 The Overview and Scrutiny Committee completed two Task and Finish Groups set up in 2017/18

#### 4.3.7.1 Review of Councillors' Technology

Following concerns from a member of the Committee that the Council's technology offer for councillors of an iPad did not work well for everyone the Committee set up a task and finish group to review this matter. The Group sent a questionnaire to all Councillors. Twenty-nine councillors responded and the Group prepared a report. This sought to address the needs of councillors whilst meeting the security requirement set down by General Data Protection Regulation.

The Group recommended to the Cabinet Member for Finance and Assets that Technology Services upgrade or replace all Councillor held iPads with software which allows enhanced functionality especially Office 365. They suggested that Councillors could use their own equipment if they wished to. The Council would help ensure adherence to GDPR guidelines. Technology Services would organise training to help Councillors get the best out of Council devices and offer further help to Councillors to print from their iPads within Parkside.

The Head of Technology Services used these recommendations as the basis of the technology provided for all Councillors for the 2019/20 municipal year.

#### 4.3.7.2 Census, Revenues and Benefits

Following concerns about the Housing Benefit Subsidy losses the Council incurred in 2014/15 and 2015/16 at its meeting on 5 June 2017 the Committee set up a Task and Finish Group to continue the work started by its dissolved Finance and Performance Sub Committee to review the causes of these problems.

The Task and Finish Group reported in 2018/19 and recommended that due to the potential risks inherent in joint ventures and partnerships when Horsham District Council enters into such agreements with third parties documentation should set out the monitoring arrangements. The Group also recommended the Overview and Scrutiny Committee should be mindful of the Forward Plan as it can call in any Cabinet decision and ask for pre-scrutiny which provides the ability to comment on the business cases for any such arrangements before the Council is legally committed.

In January 2019 the Committee sought and received an update from the Director of Corporate Resources on the monitoring process and outcomes of the subsequent LGSS partnership arrangement.

#### 4.3.8 The Overview and Scrutiny Committee set up and completed work through two new Task and Finish Groups.

##### 4.3.8.1 Effectiveness of the Overview and Scrutiny function

The Overview and Scrutiny Committee set up a Task and Finish Group to review the changes it introduced in March 2018 and to ensure it engaged fully with the development of the Corporate Plan, the Budget, the Medium Term Financial Strategy and the Transformation Programme.

The Task and Finish Group reported in December 2018. The Group considered the Overview and Scrutiny agenda remained too full to look at items in enough detail and needed proactive engagement with Cabinet before decisions and policies were finalised. The Group recommended moving its meetings from the week after Cabinet to before Cabinet to allow their comments to be fed into the Cabinet debate. The Group also recommended the introduction of three standing working groups covering the subjects of finance and performance, community and business improvement. The Group suggested Cabinet interviews did not meet their need to review Cabinet activity well and they would change their approach to inviting Cabinet members on specific items only.

#### 4.3.8.2 Monitoring of West Sussex County Council S106 funds

Members of the Committee set up a Task and Finish Group to look at the monitoring of West Sussex County Council s106 funds because they were concerned County might not be spending these quickly enough to avoid their return to developers.

The Task and Finish Group reported in March 2019. The Group recommended officers update of the current protocol between West Sussex County Council and Horsham District Council. The Group also recommended officers review the protocol annually and that Overview and Scrutiny invite the West Sussex County Council Team Manager each year to them on the current position. The Group suggested that planning officers offer a training seminar to parish clerks and members on the S106 procedure and how to interpret the monthly reports issued to parishes. The Group proposed Committee Services distribute the annual report produced by West Sussex County Council to all Councillors and Parish Councils.

#### **4.4 Development of the Committee's skills**

4.4.1 Committee Members asked for, and received, training from the LGA on effective overview and scrutiny in July 2018.

#### **4.5 Forward planning**

4.5.1 The Overview and Scrutiny Committee recommended the 2019/20 Committee to look into planning compliance and to suggest to the new Committee they look in detail at the proposed committee reports on the development proposal for the Highwood Community Centre and the report on the re-provision of the athletics track.

### **5. Joint Overview and Scrutiny Arrangements in West Sussex**

5.1 Arun, Chichester, Horsham and Mid Sussex District Councils, Crawley Borough Council and West Sussex County Council agreed in late 2012 have a Joint Scrutiny Steering Group. Worthing Borough and Adur District Councils decided not to take part in the formal arrangements at that stage but joined the group in November 2014. The Chairman of our Overview and Scrutiny Committee attends the Joint Scrutiny Steering Group.

### **6. Other Courses of Action Considered but Rejected**

6.1 None, reporting to Council annually is a requirement of the Council's constitution.

### **7. Resource Consequences**

7.1 This report has no resource consequences and associated officer workload will be contained within the existing budget.

## **8. Risk Assessment**

- 8.1** There are no risks arising from the report. The Overview and Scrutiny function is a key mitigation to the risks associated with operating the Council running its decision making using a Cabinet system. Overview and Scrutiny's decision during the year to bring forward its meeting to precede Cabinet meetings improves its opportunity to help Cabinet make the right decisions for its residents, business and visitors.

## **9. Other Considerations**

- 9.1** When scrutinising decisions, the Overview and Scrutiny Committee has regard to Crime & Disorder; Human Rights; Equality & Diversity and Sustainability. The Committee considers a report on Crime and Disorder annually, in the 2018/19 year in June 2018.