

Report to Overview and Scrutiny Committee

Monday 5 June 2023

By the Chairman of the Overview and Scrutiny
Committee

INFORMATION REPORT

Not Exempt



**Horsham
District
Council**

Overview and Scrutiny Annual Report 2022/23

Executive Summary

This report provides a summary of the work of the Overview and Scrutiny Committee during the 2022/23 municipal year.

Recommendations

The Committee is recommended to refer the report together with the Overview and Scrutiny work programme to Full Council for noting.

Reasons for Recommendations

The Council's Constitution requires the Committee to report to Full Council on an annual basis with regard to the discharge of the overview and scrutiny function and its future work programme.

Background Papers

Minutes of the Overview and Scrutiny Committee from June 2022 to March 2023
Minutes of the February 2022 meeting of Full Council
Report and minutes of the May 2022 meeting of Full Council
Decisions of the September 2022 meeting of Cabinet
Horsham District Council Constitution

Wards affected: All

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Background Information

1 Introduction and background

- 1.1 Councils operating executive governance arrangements are required under the Local Government Act 2000 to have at least one Overview and Scrutiny Committee.
- 1.2 The Overview and Scrutiny Committee provides a check on the actions of the executive (the Cabinet) and has powers to examine and report on policy and areas of concern.
- 1.3 The Council's Constitution requires the Committee to report to Full Council on an annual basis with regard to the discharge of the overview and scrutiny function and its future work programme.

2 Relevant Council policy

- 2.1 Overview and scrutiny contributes to all Council policies.

3 Details

3.1 Role of the Overview and Scrutiny Committee

- 3.1.1 The role of the Overview and Scrutiny Committee, as set out in paragraph 6.2.1 of Article 6 of the Council's Constitution, is as follows:
 - a) Assist in the strategic development of policy.
 - b) Review issues of local concern.
 - c) Review the policy of others within and outside the Council.
 - d) Call-in Cabinet decisions.
 - e) Scrutinise the Council's decision-making processes.
 - f) Monitor the internal and external delivery of services.
 - g) Review specific services.
 - h) Monitor and scrutinise the activities of outside bodies.

3.2 Committee membership

- 3.2.1 The following Members were appointed to the Committee at the May 2022 meeting of Full Council: Councillors Tony Bevis, Philip Circus, Paul Clarke, Brian Donnelly, Ruth Fletcher, Billy Greening, Nigel Jupp, Richard Landeryou, Tim Lloyd, John Milne, Bob Platt, Josh Potts, Jack Saheid, David Skipp and Ian Stannard. Councillor Brian Donnelly ceased to be a member of the Committee before the Committee held its first meeting of the 2022/23 municipal year.
- 3.2.2 Councillor Tony Bevis was elected as Chairman of the Committee for the 2022/23 municipal year at the June 2022 meeting of the Committee. Councillor Ian Stannard was appointed as Vice-Chairman of the Committee for the 2022/23 municipal year at the same meeting.
- 3.2.3 A revised membership of the Committee was agreed at the February 2023 meeting of Full Council as follows: Councillors Andrew Baldwin, Tony Bevis (Chairman)

John Blackall, Chris Brown, Ray Dawe, Ruth Fletcher, Billy Greening, Nigel Jupp, Tim Lloyd, John Milne, Bob Platt, Ian Stannard (Vice-Chairman), Jack Saheid, David Skipp and Diana van der Klugt.

3.3 Summary of work undertaken by the Committee

3.3.1 The Council's Finance and Performance

The Committee received and asked questions on reports from the Director of Resources on the Council's finance and performance. One area that was considered in some detail was the Council's low capital project spend. The Director of Resources has undertaken to identify possible solutions to this.

3.3.2 The Council's Carbon Reduction Programme

The Committee received an update from the Environmental Coordination Manager and the Cabinet Member for Environment and Rural Affairs on the Council's Carbon Reduction Programme at its June 2022 meeting. It was noted that a three-year action plan for the period April 2022 to March 2025 had been agreed by Cabinet in March 2022.

3.3.3 Overview and Scrutiny Committee Work Programme

Whilst the Committee regularly considered its work programme, some changes to how it approached this were agreed at its July 2022 meeting:

- Committee members would be provided with copies of Policy Development Advisory Group (PDAG) agendas in order to increase their knowledge of emerging policy activity.
- Cabinet members would routinely be invited to meetings of the Committee.
- Outside of meetings of the Committee, the Chairman and Vice-Chairman would take a lead on identifying potential topics for the Committee to consider.

3.3.4 Annual Crime and Disorder Update

The Head of Housing and Community Services presented the annual crime and disorder update at the Committee's September 2022 meeting. One of the key messages was the need for residents to report crime in order that the data could be used to determine where police resources needed to be focused.

3.3.5 Task and Finish Group on the Use of Consultants

The Committee considered a number of possible areas to examine through a Task and Finish Group and decided to set up a Task and Finish Group on the Council's use of consultants. The Task and Finish Group was chaired by Councillor David Skipp with the other Members appointed being Councillors Philip Circus, Paul Clarke and John Milne. The Chairman of the Task and Finish Group reported to the Committee's March 2023 meeting and the Group's recommendations were agreed, which were as follows:

To note the findings of the review and ask the Chief Executive:

(a) if appointing a consultant following a Motion to Full Council or a decision of a statutory Committee, to instruct the Head of Service to discuss the content of the brief with relevant Member(s) to ensure the brief fully captures the intention of the decision or request; and

(b) to support the Heads of Service to continue their current good practice in seeking opportunities for:

- (i) joint recruitment of specialists with other authorities with a view to reducing reliance on consultants;
- (ii) joint recruitment between Horsham District Council services that cover similar technical areas;
- (iii) introducing further professional training in key skill areas where the Council currently appoints consultants; and
- (iv) following recommendations (i) and (iii) above, ask the Heads of Service to report to a future meeting of the Overview and Scrutiny Committee within 2 years of the date of this meeting on matters looked into and decisions made.

3.3.6 Call-in Request of Cabinet Decision: CIL Governance for the Unparished Area of Horsham Town

The following Cabinet decision was called-in to the Overview and Scrutiny Committee by Councillor Martin Boffey, with the support of Councillors John Milne, Colin Minto, Jon Olson and Belinda Walters:

Topic: CIL Governance for the unparished area of Horsham Town
Decision: To agree to delegate the Governance arrangements for the prioritisation, allocation and spend of the unparished areas of Horsham Town CIL receipts to the Director of Place in consultation with the Cabinet Member for Planning and the Cabinet Member for Horsham Town.
Date of decision: 29 September 2022

Having heard from relevant Members and officers and considered the call-in request at a special meeting of the Committee on 20 October 2022, the Committee referred the decision back to Cabinet for reconsideration. The Committee took the view that the decision should specifically refer to Local Ward Members being included in the delegation.

Informal Cabinet met on 20 October 2022 and agreed that the decision be amended as follows:

To agree to delegate the Governance arrangements for the prioritisation, allocation and spend of the unparished areas of Horsham Town CIL receipts to the Director of Place in consultation with the Cabinet Member for Planning and the Cabinet Member for Horsham Town and all local Ward Members of the unparished areas of Horsham Town.

3.3.7 Police Performance

It was agreed at the Committee's November 2022 meeting that the Chairman would write to the Cabinet Member for Housing and Public Protection to express the Committee's concerns relating to police performance, in order that these could be relayed to the West Sussex County Council Police and Crime Panel.

3.3.8 S106 Contributions

The Committee considered S106 contributions as a possible topic for a Task and Finish Group. It was agreed at the Committee's November 2022 meeting that Councillor Milne would take officer advice on and draft terms of reference for a future Task and Finish Group on this subject. This subject had been examined before (in 2017) but the Committee considered that it was still an area of concern on the basis that S106 agreements did not always achieve the expected results.

3.3.9 Review of the 2023/24 Budget and Medium-Term Financial Plan

The Committee received a report from the Director of Resources on the 2023/24 Budget and Medium-Term Financial Plan at its January 2023 meeting. The Committee asked questions of the Director of Resources and the Cabinet Member for Finance and Parking.

3.3.10 Local Authority Housing Fund Update

The Committee received a verbal update from the Director of Resources on the Local Authority Housing Fund at its March 2023 meeting. It was proposed that, through a combination of government grant funding and its own resources, the Council would purchase 16 properties and lease them to the Council's housing company.

3.4 Summary of training provided to the Committee

3.4.1 The Committee agreed at its July 2022 meeting that it would be beneficial for more frequent training to be provided to members of the Committee, due in part to changes to Committee and PDAG membership that had taken place.

3.4.2 The Centre for Governance and Scrutiny (CfGS) delivered a training session to Members on 'Scrutiny Essentials' in December 2022. Further scrutiny training is due to be delivered by the CfGS in May 2023 as part of the Council's post-election induction programme and all members of the Committee are encouraged to attend.

4 Next steps

4.1 The Committee is recommended to refer the report together with the Overview and Scrutiny work programme to Full Council for noting.

5 Other courses of action considered but rejected

5.1 The Council's Constitution requires the Committee to report to Full Council on an annual basis. No other course of action is considered appropriate.

6 Resource consequences

6.1 There are no resource consequences.

7 Legal considerations and implications

7.1 The Council is required to have an Overview and Scrutiny Committee under the Local Government Act 2000, as it has a Leader and Cabinet (executive) model of governance.

7.2 The Overview and Scrutiny Committee is required by the Council's Constitution to report annually to Full Council.

8 Risk assessment

8.1 The Overview and Scrutiny Committee provides a check on the actions of the Cabinet.

9 Procurement implications

9.1 There are no procurement implications.

10 Equalities and Human Rights implications / Public Sector Equality Duty

10.1 There are no equalities or human rights implications.

11 Environmental implications

11.1 There are no environmental implications.

12 Other considerations

12.1 There are no apparent GDPR or data protection consequences.

12.2 The Committee receives an annual crime and disorder update as part of its work programme.