

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CORPORATE SCRUTINY COMMITTEE – TUESDAY, 11 JULY 2023



Title of Report	SCRUTINY ANNUAL REPORT	
Presented by	Andy Barton Strategic Director of Communities	
Background Papers	Agendas and minutes of meetings of the Scrutiny Committees are available on the website.	Public Report: Yes
Financial Implications	None identified.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	None identified.	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified.	
	Signed off by the Head of Paid Service: Yes	
Reason Agenda Item Submitted to Scrutiny Committee	To consider and make comment on the annual report in order that it be presented to Council setting out the work of the Scrutiny Committees over the preceding 12-month period.	
Recommendations	THAT THE ANNUAL SCRUTINY REPORT BE RECEIVED FOR COMMENT AHEAD OF ITS SUBMISSION TO COUNCIL.	

1. BACKGROUND

- 1.1 In accordance with the agreed scrutiny process, an annual report is submitted to Council which sets out the work of both the Scrutiny Committees over the preceding 12-month period. The annual report for 2022/23 is attached at Appendix 1.
- 1.2 The Scrutiny Work Programming Group, the Community Scrutiny Committee and the Corporate Scrutiny Committee will have the opportunity of making comment and suggesting changes to the report before it is reported to Council.

Policies and other considerations, as appropriate	
Council Priorities:	All
Policy Considerations:	None identified but regard had to this during the scrutiny process.
Safeguarding:	None identified but regard had to this during the scrutiny process.
Equalities/Diversity:	None identified but regard had to this during the scrutiny process.
Customer Impact:	None identified but regard had to this during the scrutiny process.
Economic and Social Impact:	None identified but regard had to this during the scrutiny process.
Environment and Climate Change:	None identified but regard had to this during the scrutiny process.
Consultation/Community Engagement:	None identified but regard had to this during the scrutiny process.
Risks:	None identified but regard had to this during the scrutiny process.
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North West Leicestershire District Council

SCRUTINY ANNUAL REPORT 2022-2023

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1. Foreward

This report reflects the work of the Scrutiny Committees during the civic year 2022/23. During that year the Committees were chaired by Cllrs Smith and (former) Cllr Houlton.

2. Membership

Corporate Scrutiny Committee

Councillor Nigel Smith (Chair)
Councillor Virge Richichi (Deputy Chair)
Councillor Elliot Allman
Councillor Dave Bigby
Councillor Andrew Bridgen
Councillor Gill Houlton
Councillor Jenny Simmons
Councillor Tony Saffell
Councillor Sean Sheahan
Councillor Michael Wyatt
Councillor Carl Benfield (Substitute)
Councillor John Bridges (Substitute)
Councillor Rachel Canny (Substitute)
Councillor David Everitt (Substitute)
Councillor Terri Eynon (Substitute)
Councillor Marie French (Substitute)
Councillor Louise Gillard (Substitute)
Councillor Stuart Gillard (Substitute)
Councillor Daniel Harrison (Substitute)
Councillor Bertie Harrison-Rushton (Substitute)
Councillor Michael Hay (Substitute)
Councillor Russell Johnson (Substitute)
Councillor Ray Morris (Substitute)
Councillor Jake Windram (Substitute)

Community Scrutiny Committee

Councillor Jim Houlton (Chair)
Councillor Ray Morris (Deputy Chairman)
Councillor Alexander Bridgen
Councillor Carl Benfield
Councillor Terri Eynon
Councillor John Geary
Councillor Michael Hay
Councillor Gill Houlton
Councillor Jenny Simmons
Councillor Michael Wyatt
Councillor Dave Bigby (Substitute)
Councillor Angela Black (Substitute)
Councillor Rachel Canny (Substitute)
Councillor John Clarke (Substitute)
Councillor Marie French (Substitute)
Councillor Louise Gillard (Substitute)
Councillor Stuart Gillard (Substitute)
Councillor John Legrys (Substitute)
Councillor Tony Saffell (Substitute)
Councillor Carol Sewell (Substitute)
Councillor Shean Sheahan (Substitute)

3. Introduction

North West Leicestershire District Council has adopted the Cabinet system to operate its decision making and there are two Scrutiny Committees comprising non-Cabinet members – the Corporate Scrutiny Committee and the Community Scrutiny Committee. Below is a non-exhaustive list of their respective areas of responsibility. Each Committee may receive reports and comment on matters of policy or items of business of a reasonably similar nature to those listed.

Corporate Scrutiny Committee

Asset Management
Estates and property
Review of Constitution
Communications
Customer Services
Finance

Community Scrutiny Committee

Business/Economy
Planning and Building Control
Tourism
Partnerships
Community Safety
Leisure

Human Resources
Equalities
ICT
Legal Services
Revenue and Benefits
Shared Services

Health and Wellbeing
Waste Services
Stronger Safer Communities
Environmental Health
Licensing
Environmental Protection
Statutory crime and disorder committee
Strategic Housing – Housing Strategy
Housing Management
Economic Development
Regeneration

Scrutiny is central to the Council's decision-making process and has two main roles.

- (1) The development and review of policies for a wide range of subjects and services.
- (2) The critical examination of the Council's performance and effectiveness of its decisions.

The Scrutiny Committees look into areas of local concern; they recommend improvements the Council can make to ensure quality of life is improved for all. The main tasks of the Committees are:

- **Performance Monitoring** – The Council has to meet corporate priorities set out in the Council Delivery Plan and report against those indicators. Scrutiny can examine any aspect of the Council's performance, including services that it delivers through partnerships with other organisations.
- **Holding the Cabinet to Account** - Decisions made by the Cabinet but not yet put into practice can be reviewed by the Scrutiny Committees and challenged.
- **Policy review and development** - Scrutiny can propose new policies or review existing policies and recommend changes to the Cabinet.
- **External Scrutiny** - Any issue directly affecting the residents of North West Leicestershire can be scrutinised by the Committees, including services provided by another organisation.

It is through demonstrating the value and impact that effective scrutiny can have in supporting councils and other organisations to deliver better, more cost-effective services, that scrutiny is a valued element of local democracy.

4. The Committee's Resources

Support to the Committees is provided by the two Strategic Directors who offer sound and practical advice on subject matters and help the Committees manage their respective work programmes with regular dialogue with the Chairmen of the two Scrutiny Committees.

Administrative support is provided by Democratic Services under the direction of the Democratic Services Team Manager.

Legal advice is provided by Legal Services under the direction of the Monitoring Officer.

The Centre for Governance and Scrutiny (CfGS) is regarded as a focal reference point for professional advice and training; and East Midlands Councils has offered support, as required, to assist with Task and Finish Groups.

The Committee does not have its own dedicated budget and its work is funded from the Democratic Services budget.

5. The Work of Scrutiny

Scrutiny work is Councillor led. In addition to Councillors leading on which subjects they wish to consider in depth through Task and Finish Groups, they also set their own work programme which is populated with topics selected from the Cabinet's Forward Plan, matters relating to the Council's priorities and challenges, and issues of importance to local residents.

Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be addressed through the appropriate service unit, Ward Councillor, or the Portfolio Holder responsible for the issue.

Scrutiny does not deal with individual complaints as these should be addressed through the Council's Complaints' Procedure.

The Council's Constitution sets out the rights of Scrutiny Committee Members to 'call in' a Cabinet decision if they feel it has not been made in accordance with decision-making principles set out in Part 2, section A of the Constitution. The Monitoring Officer is able to support and advise any members wishing to call in an item.

The 'call in' procedure may result in the convening of a special meeting to consider the matter unless the next programmed meeting falls within the deadlines set in the Council's Constitution. In the past 12 months there has been one 'Call in' request in relation to Cabinet item 'Hermitage Leisure Centre – Future Direction' at its meeting on 20 September 2022. In accordance with the Council's Constitution, following consideration of the request against the principles of decision making set out in the constitution, the call in request was declined by the Monitoring Officer.

6. Scrutiny Cross- Party Working Group

A Cross-Party Working Group was established in 2020 to deliver the outcomes of the corporate peer review. Whilst the Cross-Party Working Group is not be a decision-making body, the group is tasked with:

- Monitoring the progress of the project against the agreed action plan.
- Acting as 'critical friends' providing feedback and comments throughout the project.
- Acting as 'champions' for the successful delivery of the project within their respective groups by ensuring that the progress of the project was regularly reported back to all group members.
- Making recommendations to appropriate decision-making bodies based on the consensus of the Group.

Its membership for 2022/23 comprised:

- Councillor Robert Ashman, Deputy Leader

- Councillor Dan Harrison, Conservative
- Councillor Nigel Smith, Conservative
- Councillor Terri Eynon, Labour
- Councillor Sean Sheahan, Labour
- Councillor Tony Saffell, Independent

At its meeting on 26 October 2021, the Scrutiny Cross Party Working Group made a recommendation to establish a Scrutiny Work Programming Group to include the Chairs of the Scrutiny Committees, the Directors and members of the opposition. This recommendation was agreed by both the Corporate Scrutiny Committee and the Community Scrutiny Committee at the meetings held on 5 January and 9 February 2022 respectively.

7. The Scrutiny Work Programming Group

The Terms of Reference are as follows:-

Lead Officers	Strategic Directors
Terms of Reference	<ul style="list-style-type: none"> • Consider requests for inclusion on the work programmes of each Scrutiny Committee; • Consider whether there are other ways of receiving information; • Consult with members of Scrutiny Committees, Senior Officers, Cabinet Members for horizon scanning on policy development; • Look at the corporate priorities, Council Delivery Plan and Cabinet Forward plan and identify key issues/topics for investigation/inquiry • Consider events and decisions in the Council's calendar which could require an input/consultation via Scrutiny Committees • Review any follow up work required after previous scrutiny
Membership	Membership to comprise the chairs of the two Scrutiny Committees and an opposition scrutiny committee member from each group.
Meetings	The Work Programming Group will meet approximately every two months (six meetings a year)

It was initially agreed that the Scrutiny Work Programming Group would run for a year. This would allow time to determine whether a more formal arrangement, such as a Scrutiny Commission, would likely be an effective addition to the process. Following on from this, the Scrutiny Cross Party Working Group met in January 2023 and requested that work on establishing a Scrutiny Commission be paused until after the District Council Elections and the Scrutiny Work Programming Group continue in the meantime.

8. Scrutiny Principles

The following principles-based approach for identifying and managing the scrutiny work plan have been agreed.

Identify Issues for consideration by Scrutiny:

- Consulting with members of Scrutiny Committees, senior officers, Cabinet members – horizon scanning on policy development
- Looking at the corporate priorities, Council Delivery Plan and Cabinet Forward plan – identify key issues/topics for investigation/inquiry
- Considering events and decisions in the Council's calendar which could require an input/consultation via scrutiny – e.g. budget setting, CDP development
- Considering requests from members – e.g. via another forum or scoping report submitted
- Evaluating the Council's performance – e.g. quarterly reports, end of year reports, reviewing success of a particular scheme or initiative
- Reviewing any follow up work required after previous scrutiny work.

Prioritise the potential list of scrutiny topics based on factors including:

- the resources required to deliver it (from members, offices and financially)
- the value and level of impact which could be achieved
- link to the Council's priorities
- whether it is a regular recurring item which requires consideration before Cabinet/Council approval
- consideration of the guidance for selecting scrutiny topics

Scope and plan

- Decide which scrutiny topics/work will be done each year
- Add to the work programme for each year to ensure manageable agendas for each meeting
- Consider allowing some scrutiny time for ad hoc requests which arise mid-year
- Ensure that items on the work programme are clearly scoped, with clear objectives for the committee and officers (use scoping form where possible)

Recommend (if appropriate) based on the following:

- Be specific about the recommendations
- Ensure that they are evidence based and realistic
- Focus on measurable outcomes (where appropriate)
- Address a specific person or group
- Be realistic about any financing requirements
- Develop in partnership with the executive, council officers and partners

Respond – Cabinet should respond to recommendations made by Scrutiny within two months. The response should be:

- A commitment to deliver the measure within the timescale set out
- A commitment to be held to account on that delivery in six months or a year's time
- Where it is not proposed that a recommendation be accepted, the provision of substantive reasons as to why not
- Can be given by way of Cabinet report/meeting considering the recommendations.

Review and evaluate

- Regularly review progress and evaluate outcomes eg at Directors/Chairs meetings
- Produce an annual report which demonstrates the work the Committees have done and their impact.

Topics are suitable for Scrutiny when	Topics are not suitable for Scrutiny when
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Scrutiny could have an impact and add value	The issue is already being addressed elsewhere and change is imminent
The topic is of high local importance and reflects the concerns of local people	The topic would be better addressed elsewhere (and will be referred there)
The resources are available that would be required to conduct the review – staff and budget	Scrutiny involvement would have limited or no impact on outcomes
It avoids duplication of work elsewhere	The topic would be sub-judice or prejudicial to the council's interests
The issue is one that the committee can realistically influence	The topic is too broad to make a review realistic
The issue is related to an area where the Council or one of its partners is not performing well	New legislation or guidance relating to the topic is expected in the next year

9. The Scrutiny Year

Over the nine meetings which the Scrutiny Committees held during 2022-23, several different topics were scrutinised, as shown in the table below:

Item	Considered by	Action of the Committee	Outcome
Zero Carbon Update	Corporate Scrutiny Committee on 8 June 2022	Received the report and submitted a number of comments for Cabinet to consider when making the final decision.	Gained a better understanding of the progress made on the Council's Zero Carbon Roadmap and provided comments on the Actions/spend for year 3 of the plan.
2021/22 Quarter 4 Performance report	Corporate Scrutiny Committee on 8 June 2022	Received the report and submitted a number of comments for Cabinet to consider when making the final decision.	Gained a better understanding of the Council's performance for Quarter 4 of 2021/22 and provided comments for consideration by Cabinet.
Scrutiny Annual Report	Corporate Scrutiny Committee on 8 June 2022 and Community Scrutiny Committee on 29 June 2022	Received the annual report detailing the work of the Scrutiny Committees for 2021/22 prior to consideration by Full Council.	Noted the work undertaken by the Scrutiny Committees for 2021/22.
The future of Hermitage Leisure Centre and Recreation Ground	Community Scrutiny Committee on 29 June 2022	Considered the proposals, raised several concerns, and sought further information before a final decision was taken.	The item was deferred to allow a formal consultation with Whitwick Parish Council and, for officers to address concerns raised and provide further information as requested at a future meeting.
Air Quality Capital Grant Funding (DEFRA)	Community Scrutiny Committee on 29 June 2022	Noted the award of the DEFRA Air Quality Grant.	Gained a better understanding on the Air Quality Capital Grant Funding.

Establishment of Fuel Poverty Task and Finish Group	Community Scrutiny Committee on 29 June 2022	Agreed the establishment of the Fuel Poverty Task and Finish Group.	Set up the Fuel Poverty Task and Finish Group, and agreed the Terms of reference.
A Cinema for Coalville	Community Scrutiny Committee on 29 June 2022	Consideration was given to the proposals contained within the confidential report and comments were submitted for Cabinet.	Comments were considered by Cabinet when considering the report.
Linden Way, Coalville – Highway Extension	Community Scrutiny Committee on 29 June 2022	Consideration was given to the proposals contained within the confidential report and comments were submitted for Cabinet.	Comments were considered by Cabinet when considering the report.
Former Hermitage Leisure Centre Building Future Direction	Community Scrutiny Committee on 7 September 2022 (Extraordinary Meeting)	Consideration was given to the proposals with several opposing views, which included an alternative recommendation which following a recorded note was lost. All comments were submitted to Cabinet for consideration.	Comments were considered and noted by Cabinet when considering the report, however the original proposals as presented to the Community Scrutiny Committee were agreed.
Leisure Centres Annual review	Community Scrutiny Committee on 21 September 2022	Noted the report and the annual performance of the Leisure Partnership with Everyone Active.	Comments were made and considered by officers.
The Effectiveness of Planning Enforcement	Community Scrutiny Committee on 21 September 2022	Noted the report and the intention to engage the Planning Advisory Service to review the service and provide a progress update in Autumn 2023.	Gained a better understanding on the current and future plans for the Planning Enforcement Team.
Recommendations of the Fuel Poverty Task and Finish Group	Community Scrutiny Committee on 23 November 2022	Received the report of the Task and Finish Group and agreed that the recommendations be put to Cabinet.	Cabinet considered the recommendations and supported three out of the seven that were presented.
2022/23 Quarter 1 and 2 Performance report	Corporate Scrutiny Committee on 7 December 2022	Received the report and submitted a number of comments for Cabinet to consider when making the final decision.	Gained a better understanding of the Council's performance for Quarter 1 and 2 of 2022/23 and provided comments for consideration by Cabinet.
Customer Services – Performance and Future Approach	Corporate Scrutiny Committee on 7 December 2022	Received an update on the performance of Customer Services and commented on the future direction of the service.	Gained an understanding of the current performance of the Customer Services Team and agreed the proposals to include a session in relation

			to Customer Services in the Member Induction and receive an annual update on progress.
Draft Robustness of Budget Estimates and Adequacy Reserves	Corporate Scrutiny Committee on 4 January 2023	Received the report and following a thorough discussion, submitted a number of comments for Cabinet to consider when making the final decision.	Gained a better understanding of budget process and policies/strategies involved and provided comments for consideration by Cabinet.
Draft Capital Strategy, Treasury Management Strategy and Prudential Indicators	Corporate Scrutiny Committee on 4 January 2023	Received the report and submitted a number of comments for Cabinet to consider when making the final decision.	Comments were considered by Cabinet and Council when considering the reports.
Draft General Fund Budget and Council Tax 2023/24	Corporate Scrutiny Committee on 4 January 2023	Commented on the budgetary proposals to be taken forward as part of the developing 2023/24 budget.	Comments were considered by Cabinet and Council when formulating and agreeing the budget.
Draft Housing revenue Account Budget and Rents 2023/24	Corporate Scrutiny Committee on 4 January 2023	Commented on the budgetary proposals to be taken forward as part of the developing 2023/24 budget.	Comments were considered by Cabinet and Council when formulating and agreeing the budget.
2022/23 Quarter 3 Performance Report	Corporate Scrutiny Committee on 8 March 2023	Considered the proposals and submitted a number of comments for Cabinet to consider when making the final decision.	Gained a better understanding of the Council's performance for Quarter 3 of 2022/23 and provided comments for consideration by Cabinet.
UK Shared Prosperity Fund	Corporate Scrutiny Committee on 8 March 2023	Considered the report and recommended to Cabinet that the two grants from the UK Shared Prosperity Fund be accepted, as well as submitted a number of comments.	Recommendations were received by Cabinet and were subsequently agreed.
Repairs Performance	Corporate Scrutiny Committee on 8 March 2023	Received a report on the current performance and provided comments/suggestions for officers to consider.	Gained a better understanding on the operation of the Housing Repairs Service and agreed for an update in six months' time.

Draft Resource and Waste Strategy for Leicestershire 2022 – 2050	Community Scrutiny Committee on 5 April 2023	Considered the draft policy and made comments for consideration by Cabinet when making a final decision.	Comments were considered by Cabinet when considering the report.
Safeguarding Children, Young People and Adults	Community Scrutiny Committee on 5 April 2023	Considered the report and made comments for consideration by Cabinet when making a final decision.	Gained a better understanding of Safeguarding Children, Young People and Adults.
Private Sector Housing Policies	Community Scrutiny Committee on 5 April 2023	Considered the draft policies and made comments for consideration by Cabinet when making a final decision.	Comments were considered by Cabinet when considering the report.

10. Task and Finish Groups

The Scrutiny Committees can set up special working parties called Task and Finish Groups when they need to undertake a detailed, in-depth investigation into a particular issue. The work is undertaken by a small group of councillors appointed from the membership of the Scrutiny Committee.

During 2022/23 Scrutiny Members established the following Task and Finish Group: -

Fuel Poverty

The Group was tasked with reviewing the work that the Council was doing to minimise Fuel Poverty in North West Leicestershire and asked to make recommendations to Cabinet to this effect.

The membership was: -

- Cllr T Eynon (Chair)
- Cllr M Hay
- Cllr G Hout
- Cllr R Morris
- Cllr J Simmons
- Cllr M Wyatt

The Group held four meetings over the period from 15 September 2022 and 3 November 2022, which included attendance from several officers and external partners who were invited to give evidence.

The final findings of the group were reported to Community Scrutiny Committee on 23 November 2022, the ensuing debate resulted in recommendations for Cabinet which was subsequently considered on 31 January 2023. Following a thorough debate by Cabinet, three of the seven recommendations were supported.

11. Looking Ahead to 2023-2024

The year ahead will see both Scrutiny Committees being chaired by different Members, Councillor Terri Eynon and Councillor Simon Lambeth. The Committees will also welcome Members following the District Council elections in May 2023.

The Scrutiny Committees will continue to grow and develop in their role of holding the Council's decision makers to account. The Scrutiny Work Planning Group will continue to meet whilst work continues to develop proposals for a Scrutiny Commission.

12. Members' Attendance Record

Corporate Scrutiny Committee

Attendance	8 Jun 2022	7 Dec 2022	4 Jan 2023	8 Mar 2023	%
Nigel Smith	Y	Y	N	Y	75%
Virge Richichi	Y	Y	Y	Y	100%
Elliott Allman	Y	N	N	Y	50%
Dave Bigby	Y	Y	Y	Y	100%
Alexander Bridgen	Y	Y	N	N	50%
Gill Hout	Y	Y	Y	Y	100%
Jenny Simmons	Y	Y	Y	Y	100%
Tony Saffell	N	N	N	N	0%
Sean Sheahan	Y	Y	Y	N	75%
Michael Wyatt	Y	Y	Y	Y	100%

Community Scrutiny Committee

Attendance	29 Jun 2022	7 Sep 2022	21 Sep 2022	23 Nov 2022	5 Apr 2023	%
Jim Hout	Y	Y	Y	Y	Y	100%
Ray Morris	N	Y	N	Y	Y	60%
Carl Benfield	Y	Y	N	Y	Y	80%
Alexander Bridgen	N	N	N	N	N	0%
Dr Terri Eynon	Y	Y	Y	Y	Y	100%
John Geary	Y	Y	Y	Y	Y	100%
Michael Hay	Y	Y	Y	Y	Y	100%
Gill Hout	Y	Y	N	Y	Y	80%
Jenny Simmons	Y	Y	Y	Y	Y	100%
Michael Wyatt	Y	Y	Y	Y	N	80%