

DURHAM COUNTY COUNCIL

At a Meeting of **Corporate Overview and Scrutiny Management Board** held in Committee Room 2, County Hall, Durham on **Thursday 31 March 2022 at 9.30 am**

Present:

Councillor C Martin (Chair)

Members of the Committee:

Councillors E Adam, J Cosslett, B Coult, J Elmer, D Freeman, P Heaviside, C Hood, J Howey, P Jopling, C Lines (Vice-Chair), R Manchester, C Marshall, K Shaw, M Stead, A Surtees and M Wilson

1 Apologies for Absence

Apologies for absence were received from Councillors Batey, Charlton-Laine, Charlton, Gunn and Jackson

2 Substitute Members

There were no substitute members present.

3 Minutes

The minutes of the meeting held on 10 February 2022 were agreed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 - Quarter 3 - 2021/2022

The Board considered a report of the Head of Legal and Democratic Services which informed Members of the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA) during the period 1 October 2021 to 31 December 2021 (for copy see file of Minutes).

Resolved:

- (i) That the quarterly report on the Council's use of RIPA for the period covering quarter 3 2021/22, be received.

- (ii) That the powers were being used consistently with the Council's policy and that the policy remained fit for purpose.

Councillor Elmer joined the meeting at 9.35 a.m.

6 Resources - Quarter 3 December 2021: Forecast of Revenue and Capital Outturn 2021/22

The Board considered a report of the Corporate Director of Resources which provided details of the forecast revenue and capital outturn budget position for the Resources service grouping, highlighting major variances in comparison with the budget based on the position to the end of December 2021 (for copy see file of Minutes).

Councillor Jopling commented about services being under budget and expressed concerns she said about staff going through re-organisations, especially in the social care field. She asked why no further staff were being appointed. The Principal Accountant, Resources advised that this report only covers Resources so would be unable to comment on social care staffing issues without consulting colleagues in the relevant services. Therefore, this particular query would be better directed to the appropriate Overview and Scrutiny Committee.

Resolved:

That the forecast revenue and capital outturn budget position be noted.

7 Quarter Three, 2021/22 - Performance Management Report

The Board considered a report of the Corporate Director Resources (Interim) which presented an overview of progress towards achieving the key outcomes of the council's corporate performance framework and highlighted key messages to inform strategic priorities and work programmes for Quarter 1, October to December 2021 (for copy see file of Minutes).

The Corporate Scrutiny and Strategy Manager advised that performance had already been reported via the thematic committees however the report provided details of performance relating to:

- More and Better Jobs
- Long and Independent Lives
- Connected Communities
- An Excellent Council and;
- The impact of COVID-19

The report further provided details of the overall position and direction of travel in relation to quarter one performance and the actions being taken in

service areas to address areas of underperformance including the significant economic and well-being changes because of the pandemic.

Councillor Freeman joined the meeting at 9.45 a.m.

Referring to page 35 of the report Councillor Coult asked if there was more we should be doing in terms of looking at bullying, mental health for children. The Corporate Scrutiny & Strategy Manager said he would ask Public Health colleagues for further information.

Councillor Howey asked if the Council worked with companies for aged 16+ children. The Corporate Scrutiny & Strategy Manager advised that this is carried out a region approach and that apprenticeship figures throughout the Council and County reflected that. He could obtain an update on figures from colleagues.

Councillor Elmer referred to the cost of living crisis and asked if there was anything available for people to review what they were entitled to and were they confident in claiming them. He went on to talk about the increase in energy prices and people in rural communities having to rely on oil rather than gas heating and asked if conversations were taking place with these communities. The Corporate Scrutiny & Strategy Manager confirmed that the Welfare Rights team had been involved in work around benefit claims, but the Council recognised that more needed to be done around this area of work as the crisis developed. He went on to advise that 14,000 properties in the County were using heating oil as were not connected to the gas network. There has been some EU funded work about different heating systems and insulation but more work was required around this.

Councillor Adam also commented on the cost of living crisis and in particular from paragraph 89 of the report relating to gym memberships. With 4,500 fewer memberships from April 2020 he was concerned that this was having a negative impact on people's health and wellbeing. 31% fewer people were attending pre-covid but a full recovery was being reported for by March 2023. He asked how this could be guaranteed with the cost of living crisis. The Corporate Scrutiny & Strategy Manager said that it was impacting people financially and people may chose to exercise elsewhere. Leisure colleagues had provided the estimate of recovery by March 2023 so this would be monitored closely.

Councillor Marshall found the report a useful snapshot of performance but not the best way in which to judge the Council's performance. He added that health is likely to get worse, that energy caps were increasing, there was direct pressure on Council services, and national insurance increases which were all having a knock on effect and a lasting effect. He referred to a recent Economy Scrutiny meeting which would pick up on the effects to the

economy and access to good well paid jobs via developments such as Merchant Park.

The Corporate Scrutiny & Strategy Manager said that this would be taken on board as part of the Poverty Action Plan.

Councillor Surtees asked when the recent census data was due and was advised that this data would start coming in shortly and was included on the work programme. Information on when to expect certain data sets would be circulated to members. She went on to talk about the Poverty Action Plan, due to be approved by Cabinet, and suggested that this should be looked at by this Committee. In paragraph 4 the mention of financial hardship should be looked at further as affected people being able to eat, heat their homes and not being able to cover those basic needs. In relation to the Council, Councillor Surtees commented on the increase in sickness rates and health and safety incidents. She was concerned with the movement of staff back into the building they were not receiving management support if they had particular circumstances to take on board.

In response, the Corporate Scrutiny & Strategy Manager referred to reportable health and safety incidents and that the figures had increased due to COVID. With regards to return to work he advised that guidance had been issues to all staff and that managers could look at individual circumstances.

Councillor Surtees was still concerned that there was no consistency in place as each service area were managing their expectancy of staff returning to the office in different ways.

The Chair agreed that the Poverty Action Plan would come back to this committee.

Resolved:

That the content of the report be noted.

8 Customer Feedback Report, Quarter Three, 2021/22

The Board considered a report of the Corporate Director of Resources which provided an overview of information collected from the Council's customers which described their experiences of using our services in the 12 months to 31 December 2021, compared to the same period in the previous year (for copy see file of Minutes).

Councillor Elmer referred to the lengthy process for someone to make a complaint or give a compliment and asked if they were being listened to. The Head of Digital Services gave re-assurance that the service do work closely with the Ombudsman's office to ensure that complaints are brought to a

resolution as quickly as possible. She pointed out that there were some complex cases that did take more time to investigate.

Councillor Adam was surprised not to see potholes and surface of roads as a frequent requested service on paragraph 49 of the report. He went on to comment that with regards to surveys the response rate was very low. He believed that this was due to people putting in a service request and then within 14 days receiving a survey, when all they had received at that point was an acknowledgement. The Head of Digital Services explained that the initial request data was populated from the CRM but then passed to alternative systems for action and that the survey was generated at the point the request was closed within the CRM but may still be open in the service-based system. She advised that all timescales for surveys sent were agreed by the owning service and that this was regularly reviewed and updated where appropriate.

Councillor Elmer said that it was hard for councillors to feedback to their residents as the system would issue an auto generated e-mail rather than giving specific detail. The Head of Digital Services advised that the current CRM was reaching the end of contract over the coming 2 years and in preparation for any renewal or procurement there would be a full consultation exercise to gather future system requirements. This would include consultation on methods for surveying user feedback and request tracking. The Head of Digital Services also noted a current trail being conducted with a small group of members as a separate piece of work and that feedback would be provided in a future report.

Resolved:

That the content of the report be noted.

9 Review of the Durham Light Infantry (DLI) Collection and Archive - Feasibility Study Outcomes

The Board considered a report of the Corporate Director of Resources which provided an opportunity to comment on the outcomes of further feasibility studies regarding the refurbishment and re-use of the former DLI museum and art gallery building reported to Cabinet on 16 March 2022 (for copy see file of Minutes).

The Chair informed the Committee that when this report was considered by Cabinet it was accompanied by a Part B report, which contained commercially sensitive information. He reminded Members not to stray into discussions around the information contained in the Part B report as he wanted to ensure that the meeting remained open to the public and media.

The Chair said that the report set out the rationale for the decision made by Cabinet on 16 March 2022 however if Members felt that they required further discussions around the information contained in the Part B report a meeting could be arranged in order to do that.

Councillor Marshall commented that the Part A report contained the strategic case and the rationale however the Part B report contained the level of detail that he would like the opportunity to discuss. He would welcome the opportunity to discuss this at a special meeting.

Councillor Adam said that he would have a number of questions around the finance, success and risk factors but that they related to the Part B report.

Referring to paragraph one of the report, Councillor Surtees commented that the full feasibility studies were not included, just the extracts. She was also concerned that the implications appendix showed no financial risks. She did not see the benefit of discussing this item today and requested holding a closed meeting.

The Head Transformation, Planning and Performance explained that Scrutiny meetings had never been held behind closed doors and that as the Part B report contained information as to potential bidders and contained commercial sensitive information it had been agreed that the Part A report contained enough rationale for Members to debate. This was for Members to decide.

Councillor Marshall said that he would prefer to discuss the rationale in more detail at a special meeting. He left the meeting at 10.50 a.m.

Councillor Surtees said that as there were no specific costings in this Part A report she would not be able to make comment on the details. She did not feel that she could consider or comment on the report.

Councillors Adam, Manchester, Shaw, Surtees and Wilson left the meeting at 10.52 a.m.

The Head Transformation, Planning and Performance introduced the report. He referred to a special meeting of this Committee held on 28 July 2021 which involved gathering a range of stakeholders views. The September 2021 Cabinet report took on board those views and instructed that a feasibility study be carried out. The Cabinet report of 16 March 2022 set out three options for consideration, and Option 3 was agreed. Details of Option 3 were as follows:-

- Maximum Intervention similar to Option 2 but the extension along the eastern elevation doubled increasing the net internal area of the

building by around 96%. This option had the most exhibition space and dedicated display space for the DLI Collection. The space for artists in residence / creative hub was also more than double the space provided in Option 2. In addition to a larger café this option also included additional space for a new restaurant. Works to the garden were based on the top-level scope.

The Head of Culture and Sport explained the logic in setting out the options for the refurbishment and re-use of the former DLI Museum, from the minimum that could be done to the maximum offer. The business case, benefits to the Council and the MTFP impact were discussed at Cabinet and Option 3 had been the preferred option, with maximum intervention.

Councillor Hood said that as the museum had been closed for the last six years, he was disappointed that colleagues had left the meeting before listening to the officers report.

As this was the year of culture, Councillor Jopling was pleased this option had been agreed. She was hopeful that the grounds were respected as this was owed to those who had lost their lives. She said that this was a huge asset and would help the County promote tourism.

Councillor Howey was pleased at the amazing work that had been carried out and was excited about the future of people being able to show off their work. She asked how this would be promoted, as it was important for the culture bid. The Head of Culture and Sport agreed that the marketing aspect was key. She added that the DLI collection would be housed in the new history centre.

Councillor Coult said how important it was for children to learn and understand about the history of the DLI and believed this to be a fantastic asset for the County.

The Durham History Centre Programme Lead explained that they would look at how best to use the grounds and that creating space and performances would be part of the offer. She added that Wharton park and other venues across the City and County would also link in with the DLI.

Councillor Freeman asked if there were any plans to link the military history of the museum by having artillery equipment where visitors could fully engage. In response, Durham History Centre Programme Lead said that there was a display at Shildon but realised the opportunity for children and families to engage through play with the link to the history of the military connections. Discussions with the National Army Museum had taken place.

Councillor was delighted about the re-opening of the museum and asked how the team propose to market this. He would also like to see engagement with local artists. The Head of Culture and Sport explained that the bigger the offer, the more funding opportunities would arise. For example, with option 3 the catering side would create more jobs and a greater footfall. If the maximum capacity was achieved for the exhibition space the target would be achievable. The Durham History Centre Programme Lead explained there would be greater marketing opportunities by going with option 3.

In response to a question from Councillor Howey about interactive exhibitions, the Head of Culture and Sport said that it was about getting the balance right. The Durham History Centre Programme Lead added that there were great opportunities to develop this, linking the past to the present through climate change and environmental issues. She said that there would be a mix of spaces so that engagement with all residents in County Durham were achievable. The Head of Culture and Sport said that there would also be opportunities to go into schools as part of their learning programme.

Further to a question regarding fees for admission from Councillor Freeman, the Head of Culture and Sport said that this would form part of the business plan whereby part of the offer would be free but there would be options to pay for some offers, as it was all about balancing it out. Councillor Freeman added that it would be a good opportunity to link assets together, such as Bowes Museum, Killhope and the DLI, by means of a leisure card for County Durham residents.

Councillor Elmer thanked officers for their hard work and for the engagement carried out with stakeholders and partners.

Councillor Lines thanked the officers and members for having a timely and open discussion as the answers had given re-assurance about the financial business plan being developed and the risk of finances being mitigated. He referred to the recent online offer and asked if this was still viable and sustainable. The Head of Culture and Sport said that there would be an opportunity to still provide an offer online but those discussions were still ongoing.

The Chair referred to the discussions around a reflection/contemplation area and asked how this would work with the Aykley Heads development. The Head of Culture and Sport said that there would be benefits to the development as this would bring more footfall as part of the whole site. Catering is likely to be key in attracting those working, visiting and travelling through the site.

Resolved:

That comments on the outcome of the options appraisal report considered by Cabinet at its meeting on 16 March 2022 be noted.

10 Update in relation to Petitions

The Board considered a report of the Head of Legal and Democratic Services which provided for information the quarterly update in relation to the current situation regarding various petitions received by the Authority (for copy see file of Minutes).

The Head of Strategy and Transformation advised that the schedule provided a list of those petitions that were active, and those that were to be closed and which would be removed from the list prior to the next update.

Since the last update five new e-petitions have been submitted. Two have been completed, one was not a valid petition and, two are collecting signatures on the website until 30 April 2022, after which a response will be provided.

One new paper petition had been submitted and has closed. A list giving details and current status of all active petitions was attached as Appendix 2 to the report.

Resolved:

That the content of the report be noted.

11 Notice of Key Decisions

The Board considered a report of the Head of Legal and Democratic Services which listed key decisions which were scheduled to be considered by the Executive.

The Head Transformation, Planning and Performance advised that new to the plan were the following:

- Medium Term Financial Plan and Review of the Local Council Tax Reduction Scheme
- Proposal to close the Sunnydale site of Greenfield Community College on 31 August 2022 and rebuild the Newton Aycliffe site.
- Leisure Transformation Update
- Tees Valley Energy Recovery Facility, Local Authority Special Purpose Vehicle

Members were advised that since publication of the papers, a special Cabinet meeting had been scheduled for 27 April and would consider

- Council Plan 2022 – 2026

- HQ Review
- Climate Emergency Response Plan: Approval of Updated Version (2022-24)

Resolved:

That the content of the report be noted.

12 Information Update from the Chairs of the Overview and Scrutiny Committees

The Board considered a report of the Corporate Director Resources which presented for information an update on overview and scrutiny activity from January to March 2022 (for copy see file of Minutes).

Resolved:

That the content of the report be noted.

The Chair thanked the Head of Transformation, Planning and Performance, as this was his last meeting, for being a real asset to the Committee in his role as the Statutory Scrutiny Officer, and wished him well for the future.