

Council

24 January 2024

Overview and Scrutiny – Six Monthly Update



Report of Corporate Management Team

Paul Darby, Corporate Director of Resources

Councillor Rob Crute - Chair of Corporate Overview and Scrutiny Management Board

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide information to County Council on the activity of overview and scrutiny for the six month period June to November 2023.

Executive summary

- 2 It has previously been agreed that a six month update on the activity of overview and scrutiny is considered by Council, in addition to the Overview and Scrutiny Annual report which is submitted to Council in July/September each year.
- 3 This update sets out the approach that scrutiny has been taking since the elections in May 2021, regular matters which feature in the committee work programmes and highlights some items which have formed part of more in-depth scrutiny over the six month period to November 2023.

Recommendation(s)

- 4 Council is recommended to:
 - (a) note the information on overview and scrutiny activity which has taken place in the six month period June to November 2023.

Background

- 5 As a result of statutory guidance on overview and scrutiny arrangements in local authorities published in 2019, the County Council agreed a six-monthly report of overview and scrutiny activity be submitted to council to assist in the communication of scrutiny's role and purpose.
- 6 This update report highlights some of the work scrutiny has undertaken in the six month period to November 2023 and complements the annual report which is submitted to council each year.
- 7 At the annual meeting of Council in May 2023, Cllr Rob Crute was appointed as Chair of the Corporate Overview and Scrutiny Management Board (COSMB) and Cllr Chris Lines re-appointed as Vice Chair of the Board. In their role as the strategic driver of the overview and scrutiny function, they have encouraged an inclusive and transparent approach to carrying out scrutiny.
- 8 Contributing to policy development is a key task for scrutiny and the scrutiny chairs and vice-chairs have a clear ambition to increase activity in this field.
- 9 Overview and scrutiny has continued the practice of meeting with members of the Executive regularly. This approach was recommended in the statutory guidance issued in 2019 and it was acknowledged that Durham County Council has a strong record of sharing information with the Executive.
- 10 The Corporate Overview and Scrutiny Management Board (COSMB) oversees and co-ordinates the work of overview and scrutiny committees. Five thematic overview and scrutiny committees scrutinise the following themes:
 - Adults, Wellbeing and Health
 - Children and Young People
 - Economy and Enterprise
 - Environment and Sustainable Communities
 - Safer and Stronger Communities
- 11 Durham County Council's overview and scrutiny function has embedded the four principles of good scrutiny in all the work it does. These principles, originally developed by the Centre for Governance and Scrutiny, inform and shape scrutiny work. They state that overview and scrutiny should:

- Provide constructive critical friend challenge
 - Amplify the voices and concerns of the public
 - Be led by independent minded people who take responsibility for their role
 - Drive improvement in public services
- 12 Scrutiny committees undertake regular monitoring of budget and performance reports, receive updates on previous reviews and undertake light touch and in depth review activity.
- 13 All scrutiny members have received the corporate induction training following the May 2021 elections. This has been supplemented by bespoke scrutiny training delivered by the Scrutiny team. Overview and scrutiny members have also had the opportunity to take up training provided by the LGA in collaboration with the Centre for Governance and Scrutiny and the North East Regional Employers Organisation.
- 14 Comprehensive work programmes are developed by scrutiny committees each year and this update highlights only some of the work they carry out.

Scrutiny Committee Activity

- 15 Corporate Overview and Scrutiny Management Board (COSMB)

Chair: Councillor Rob Crute,
Vice Chair: Councillor Chris Lines

- (a) Medium Term Financial Plan (MTFP 14) 2024/25 – 2027/28

COSMB has a constitutional role in assisting Cabinet in the development of the council's annual budget. The Council is operating in a period of significant financial uncertainty with concerns about the impact of inflation and fuel and energy prices. The Board continues to be updated by the Head of Corporate Finance and Commercial Services and will consider the impact of the local government financial settlement on the council's budget and MTFP forecasts. The Board considered its first report on 1 September 2023 which included a review of the Local Council Tax Reduction Scheme and Council Tax Discounts and Premium Policy. A further report was considered on 1 December 2023 which updated financial planning assumptions for the MTFP14 process and set out details of further savings proposals that could be implemented to help balance the budget and details of the associated consultation process.

(b) Community Engagement (AAP) Review

The Board considered an update report on the Council's review of its main community engagement function – its Area Action Partnerships at a special meeting on 22 September 2023. As part of its previous consideration of this matter, the Board had requested that the proposed model agreed by Cabinet at its meeting in July 2023 be brought back for further consideration including an examination of the consultation feedback and analysis, the key principles taken forward for the new model and those which have been discounted and the planned development of local networks. The Board asked that the proposed governance arrangements for the new model be brought back to the Board for consideration and comment.

(c) RIPA Annual Report 2022/23

The Board considered a report of the Head of Legal and Democratic Services which provided information about the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 ('RIPA') during the period of 1 April 2022 to 31 March 2023. The report also presented proposed changes on the Council's Corporate RIPA Guidance as part of the annual review for comment by the Board prior to its consideration by Cabinet. In considering the report, the Board noted the detailed RIPA training provided to responsible officers as well as awareness training to wider tier 4 and 5 managers.

16 Adults, Wellbeing and Health Overview and Scrutiny Committee (AWH OSC)

Chair: Councillor Veronica Andrews

Vice Chair: Councillor Matt Johnson

(a) North East and North Cumbria ICB Joint Forward Plan 2023/24 to 2028/29

The Committee considered a report and presentation on the North East and North Cumbria Integrated Care Board draft Joint Forward Plan 2023/24 to 2028/29. This was a national requirement and set out how the ICB and NHS Trusts would arrange and/or provide NHS services to meet the population's physical and mental health needs; deliver the NHS Mandate and NHS Long Term Plan in the area • and meet the legal requirements for ICBs. In considering the plan, the Committee raised several issues which they forwarded to the ICS Chief Executive as a formal response to the consultation and which included the need for strong links between the Joint Forward Plan and the ICB County Durham Plan considered in May 2023; support for the service delivery

plans for pharmacy, optometry and dental services and the need for a robust performance management framework to measure success against the plan.

(b) Shotley Bridge Hospital project

The Committee received a presentation from representatives of County Durham and Darlington NHS Foundation Trust and the National Hospitals Programme updating members on the plans for the reprovision of services currently delivered at Shotley Bridge Hospital including the planned new Hospital development. The Committee highlighted local community concerns around the delays to the project and the impact of ongoing inflationary pressures on the project scope and funding.

It was reported that the financial envelope remained unchanged but that the scheme had to be affordable, deliverable and sustainable. Members expressed concerns that the financial pressures may lead to a reduction in the services to be provided from the new facility and agreed to write to the Chancellor of the Exchequer and Secretary of State for Health and Social Care requesting the sufficient resources were allocated to the project to ensure that the planned level of service delivery at the new site would be retained.

(c) County Durham and Darlington NHS Foundation Trust Maternity Services Inspection and Improvement Action plan

As part of its assurance role in overseeing CQC Inspection reports for NHS Foundation Trust Services, the Committee received a presentation from Sue Jacques, Chief Executive of County Durham and Darlington NHS Foundation Trust detailing the findings of CQC Inspection reports into Maternity Services at Darlington Memorial Hospital and University Hospital North Durham. Members questioned the Trust representatives on the proposed improvement action plans following the Trust's maternity services being downgraded at both sites to Inadequate and have requested that a further report be brought to the Committee once the services have been re-inspected by the CQC.

17 Children and Young People Overview and Scrutiny Committee (CYP OSC)

Chair Councillor Anne Reed
Vice Chair Councillor James Cosslett

(a) Holiday Activities with Healthy Food (Fun and Food) in County Durham

At its meeting on 6 July 2023, the Committee considered a presentation setting out the County Durham Fun and Food Programme during 2022. Whilst noting that the Department for Education (DfE) provided all Local Authorities with funding to provide free holiday activities and healthy food for children that are eligible for benefits related free school meals during Easter, Summer and Christmas holiday periods in 2022. Half term school holiday periods are not funded by DfE. Durham was allocated £2,338,740.00, to provide free 'holiday clubs' and committed to offering all eligible and other vulnerable children access to a range of enriching activities with healthy food. Recognising the need and demand for holiday activities with healthy food remains during half term holidays an additional £80,00 from Public Health for February half term and £150,000 was secured from the Poverty Action Steering Group (PASG) for May and October half terms 2022.

Members noted that nearly 35,000 children and young people engaged with the Fun and Food programme in Easter, Summer and Christmas 2022 (DfE funded holidays). Over 11,000 children and young people engaged in the half term holidays (DCC funded holidays February, May and October 2022). Throughout 2022 a total of 46,000 children and young people engaged in Fun and Food provision.

(b) Home to School Transport Services

In March 2023, the Committee submitted a response to the Council's consultation on Home to School Transport services. Following consideration of the consultation responses by Cabinet on 14 June 2023, the CYPOSC agreed to revisit the consultation responses and examine how these had influenced the recommendations agreed by Cabinet.

Members noted the response rates to the consultation and the specific recommendations agreed by the Cabinet. These included the charge for the standard and maintained concessionary scheme being set at £2 for the 2023/24 academic year. The Committee also agreed that further reports on the remaining recommendations be brought forward to the CYPOSC.

(c) Best Start in Life, Family Health services and Family Hubs

The Committee's meeting on 13 November 2023 was a themed session with reports and presentations considered in respect of the progress made in addressing the 7 Best start in Life priorities; the 0-25 Family Health Service workforce and service delivery across County Durham provided by Harrogate and District NHS Foundation Trust and

the Family Hub and Start for Life Programme delivered across County Durham.

The Committee noted the development of a peri-natal and infant mental health strategy for County Durham which is to be consulted upon in early 2024 and due for approval by the Health and Wellbeing Board in May 2024. The Committee requested a further update report on the strategy development with a view to submitting comments as part of the consultation process.

18 Economy and Enterprise Overview and Scrutiny Committee (E&E OSC)

Chair Councillor Bill Moist
Vice Chair Councillor Angela Surtees

(a) Inclusive Economic Strategy

The EEOOSC has been extensively involved in the development of the Inclusive Economic Strategy (IES) and held a workshop on 20 July 2023 to examine the key areas of delivery against the Strategy's 4 "P's" of People, Productivity, Place and Promotion. The member comments at the workshop were fed back to the service to inform the Draft IES Delivery Plan which was subsequently considered at the EEOOSC meeting on 6 October 2023. Following further feedback provided to the service, the final draft IES Delivery Plan was adopted by Cabinet on 15 November 2023.

Members of the Committee were also advised that the IES and Delivery Plan will inform a new Investment Plan which will be used to promote major projects and investment opportunities to prospective investors and the Committee have asked for detail of the investment plan to come to a future meeting.

(b) Draft Housing Strategy

The Committee hosted a workshop on 10 July 2023 for all OS members to examine the 'Principles and Priorities Paper' used to develop the draft housing strategy. The comments made by members during the workshop were submitted as an Overview and Scrutiny response used to inform the development of the Housing Strategy. Key areas examined included prevention of homelessness, ensuring a range of housing options are available to all groups, key housing issues within communities; housing's contribution to the Climate Emergency Response Plan; how housing supports the local economy; ensuring

everyone has access to a warm, safe home and how we can meet the need for affordable homes.

(c) Overview of County Durham's Visitor Economy – Draft Destination Management Plan 2023 to 2030

The Committee have identified the economic benefits and contributions of tourism and the visitor economy to the overall economic prosperity of County Durham as a work programme priority for 2023/24. At a special joint meeting of the EEOC and ESCOC on 3rd November 2023, members received a report and presentation which set out the purpose and process of the draft Destination Management Plan (DMP). The plan set out a blueprint for growth and development of the visitor economy within County Durham, identifying challenges, gaps and opportunities for a successful sustainable visitor economy with prioritised actions. The committee were invited to provide comment on the draft DMP before its consideration by Cabinet.

The committee meeting was followed by a facilitated workshop supported by officers from Visit County Durham where members were invited to consider and comment on two questions - How can we sustainably enhance the overall visitor experience in our area, including accommodation, attractions, and amenities? and What are the key strengths and unique selling points of our destination that can be leveraged to attract more visitors? The areas and issues identified by members would inform the ongoing development of the Tourism offer within the County.

19 Environment and Sustainable Communities Overview and Scrutiny Committee (E&S OSC)

Chair Councillor Bev Coult
Vice Chair Councillor Jonathan Elmer

(a) Management of the Council's Woodland Estate and the Tree Policy

At the Committee's meeting on 21 July 2023 members received an update on the management of Council-owned woodland and its tree planting programmes. Information was provided on the main themes of the work, including woodland creation, woodland restoration and active management, improving access to woodlands, working with young people to encourage them to consider a career in the forestry sector and supporting community groups to manage their local woodlands.

There were concerns identified by members around the future funding of woodland management and tree planting.

Members also considered the County Council's approach to managing trees in its ownership, under its management and trees in private ownership that pose a safety risk to the public. The current policy was under review having been approved by Cabinet in July 2014, following a public consultation exercise. Members noted that a more proactive programme of tree inspections is being developed by the Council and would be embedded within the Tree Management Policy.

(b) Street Lighting Energy Reduction (SLERP) Project

In October 2023, members received an update report and presentation in respect of the Street Lighting Energy Reduction (SLERP) Project providing detail on retrofit installations, the proposed final SLERP 3 project and the data regarding energy savings, carbon reduction and financial costs associated in relation to the project. Members noted that the SLERP project has been the biggest single contributor to date to the reduction in the Council's Carbon emissions with energy savings of up to 54% compared with previous installations. This generates annual revenue savings of £1.2m per year over a 25 year period.

SLERP 3 is the final element of the project which will convert 1900 street lights and commenced in September 2023 and is projected to be completed in March 2025. It was reported that at the conclusion of SLERP 3, 3500 street lanterns will remain outstanding and will be converted as part of the ongoing Capital preplacement programme.

(c) Ecological Emergency Action Plan

The Committee have worked closely with Cabinet in respect of the Council's declaration in April 2022 of an ecological emergency and the development and adoption of an Ecological Emergency Action Plan (EEAP) which sets out how council services should respond to the issue. Its purpose is to review and revise the management of council land assets and put in place activities to promote and achieve best ecological practice.

The Committee have agreed as part of its work programme for 2023/24 that it will monitor progress against the EEAP to enable them to consider and review this progress against the key actions within the Plan.

At its meeting on 24 November 2023, members considered the latest progress update which set out actions planned and delivered against the key themes of Land Management; Education Awareness and Communication; Policies and Strategies. Members noted that the plan has key links to the Local Nature Recovery Strategy and that improvements and actions delivered against the plan must be within the current resource envelope. Members noted the good progress made to date with 14 areas of action being progressed across Council Services.

20 Safer and Stronger Overview and Scrutiny Committee (SSC OSC)

Chair Councillor Phil Heaviside
Vice Chair Councillor Joyce Charlton

(a) Safe Durham Partnership ASB Group Update

The Committee have agreed that regular update reports from the Safe Durham Partnership ASB Group are considered by members following adoption of the SDP ASB earlier this year. In June 2023, the Committee received information regarding the Government's Anti-Social Behaviour Action Plan and at its September meeting members received further detail of how these actions sit alongside those within the SDP ASB strategy. Members noted that County Durham and Darlington had been agreed as one of 16 ASB trailblazer pilots with funding provided directly to the Office of the Police and Crime Commissioner. To progress the pilot initiative an ASB Action Plan is being formulated by the OPCC with involvement from key partners within the ASB Strategic Group. In addition, funding bid proposals are currently being prepared for further consideration by the OPCC to support the delivery of the Action Plan.

(b) Civil Contingency Planning and Storm Arwen Review

In May 2022, the Committee considered a report and presentation on civil contingency and emergency planning arrangements and a review of the response to Storm Arwen. The Committee was consulted on the draft Storm Arwen improvement plan and its comments were provided to Cabinet when it considered the plan at its meeting of 13 July 2022.

In accordance with the SSCOSC Work programme for 2023/24, an update report detailing progress against the Storm Arwen Improvement Action plan was considered by members on 7 September 2023. Members noted that of the 27 improvement actions against the six key themes - twenty improvement actions have been completed; six have commenced and are still in progress; and one has yet to start, in the

main because it is contingent on other work. Over 40 communities across County Durham have responded to the Council's offer of support to develop local community resilience plans.

(c) Counter Terrorism and Security Act 2015

On 2 November 2023, the Committee received a report and presentation setting out key progress against the Safe Durham Partnership's statutory duties contained within the Counter Terrorism and Security Act 2015.

The presentation sets out the steps that the Council and its partners were taking to respond to the ideological challenge of terrorism and the threat we face from those who promote it; prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support and finally work with sectors and institutions where there are risks of radicalisation that we need to address.

Members noted the "Channel" initiative which adopts a multi-agency approach to identifying and supporting individuals who are vulnerable to being drawn into terrorism. The report also highlighted the County Durham Contest Board's responsibility for developing and delivering the strategic Delivery Plan. It was reported that the arrangements within County Durham and Darlington were considered examples of best practice regionally and nationally.

Background Papers

Reports and minutes (June – November 2023)

- Corporate Overview and Scrutiny Management Board
- Adults, Wellbeing and Health OSC
- Children and Young People OSC
- Economy and Enterprise OSC
- Environment and Sustainable Communities OSC
- Safer and Stronger Communities OSC

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Appendix 1: Implications

Legal Implications

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities published in May 2019 stated that to maintain the interest of full council in the work of the scrutiny committee, authorities should take steps to ensure full council is informed of the work the scrutiny committee is doing.

The council must have regard to the statutory guidance when determining its scrutiny arrangements and have good reasons for not following any aspects of the guidance

Finance

None

Consultation

The statutory role of some scrutiny committees means that consultations are regularly considered.

Equality and Diversity / Public Sector Equality Duty

All scrutiny reviews are subject to an equality impact assessment

Climate Change

The council has declared a climate emergency and scrutiny committees such as the Environment and Sustainable Communities OSC receive regular reports on the commitment to contribute to reducing the causes of climate change and the implications of responding to and adapting to the inevitable impacts of climate change. Any climate change implications will be included in individual reports to the appropriate scrutiny committee.

Human Rights

None

Crime and Disorder

Any crime and disorder implications will be included in individual reports to the appropriate scrutiny committee.

Staffing

None

Accommodation

None

Risk

None

Procurement

None