

Council

22 January 2025

Overview and Scrutiny – Six Monthly Update



Helen Bradley, Director of Legal and Democratic Services

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 2024.

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 County Council 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 2024.

Recommendation(s)

- 4 Council is recommended to note the information on overview and scrutiny activity which has taken place in the six month period June to November 2024.

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 2024 and complements the annual report which is submitted to council each year.
- 7 At the annual meeting of Council in May 2024, Cllr Rob Crute was re-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 15) 2025/26 – 2028/29

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 3 October 2024 which included an update on the delivery of those savings agreed within MTFP14; further information on additional budget pressures for 2025/26 and beyond and the review of the Local Council Tax Reduction Scheme for 2025/26.

A further report was considered on 9 December 2024 which updated financial planning assumptions for the MTFP15 process following the Chancellor of the Exchequer's Autumn Budget Statement on 30

October 2024. The report included details of the further savings that could be considered to help to balance the budget for 2025/26 and beyond. These are subject to a second round of budget consultation from 6 December 2024 to 17 January 2025 and which will build on the first phase of consultation which closed on 1 November 2024. The feedback from Phase 1 of the budget consultation was also considered by the Board at its 9 December 2024 meeting.

b) North East Combined Authority Update

The Board considered an update report on the establishment and governance arrangements for the North East Combined Authority at a special meeting on 28 October 2024. The report set out the key representation which the County Council has on the NECA Cabinet, Overview and Scrutiny Committee and the Standards and Audit Committees. The Council previously had effective relationships with the former North East Combined Authority covering Durham, Gateshead, South Tyneside and Sunderland Councils and also the Joint Transport Committee which covered the footprint of the former NECA and North of Tyne Combined Authorities. Council representation on both bodies ensured a regular discourse and opportunity for feedback between the CAs and the Council's own Scrutiny arrangements. The Board sought these arrangements to be replicated and built on under NECA and a series of initial NECA decisions which would deliver key investments into County Durham were identified within the report.

c) RIPA Annual Report 2022

The Board considered a report of the Director 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 2023 to 31 March 2024. 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) Health Protection and Assurance Annual Report

The Committee considered the annual health protection and assurance annual report which included information regarding screening activities, immunisation programmes, outbreaks and communicable diseases, strategic regulation interventions and protection from environmental hazards. Members noted the sustained performance across childhood vaccinations and to improve the take up of screening programmes including bowel screening. The Committee has examined the work of the Local Resilience Forum and the multi-agency approach to examining and mitigating against risks to public health associated with disease, infection and adverse weather conditions.

b) CQC Assessment of Local Authority Adult Social Care

The Committee has previously examined the Council's self-assessment document produced by the service in preparation for the CQC assessment of Adult Social Care. Members received an update of the outcome of the CQC Assessment process following the onsite inspection in May 2024 which included an interview with the Chair of the AWHOSC. The results of the assessment gave the County Council an assessment of "Good" with a number of areas of good practice noted. An inspection improvement plan which addresses those areas of improvements identified by the assessment has been developed and this was considered by the Committee at its meeting held on 18 November 2024. This will inform future work programme priority activity for the AWHOSC.

c) Winter Planning Assurance 2024-25

The Committee has considered the joint winter planning arrangements for 2024/25 which covers health, social care, other key service provision during cold weather and surge periods. The report and presentation to the AWHOSC on 18 November 2024 highlighted partnership plans that have been developed to prevent excess winter deaths and cold related ill health whilst also managing demand on health and social care systems and related services over the winter season. Members continue to seek assurances around health and social care planning, system resilience and the wider work undertaken by partners including Civil Contingency and local resilience forum, local community and voluntary group provision such as hot meals provision; befriending and community activity including the County Durham Together provision. Welfare and financial planning and support have also been examined as part of the wider determinants of health alongside housing support, winter maintenance and communications and advice provision. A review of the effectiveness of winter planning assurance arrangements will be brought to the Committee in March 2025.

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

Chair Councillor Anne Reed
Vice Chair Councillor Cathy Hunt

a) Special Educational Needs and Disabilities Update

The Committee considered an update on Special Educational Needs and Disabilities which also provided a summary of the recent Ofsted and CQC inspection of the Local SEND Partnership including a timeline of activity and areas of focus. The inspection highlighted many areas of strength and good practice. The outcome of the inspection identified four areas where improvement was required. An outline of the next steps following the inspection focused on a draft multi-agency action plan which was due to be submitted to Ofsted by the end of October.

In addition to the information on the recent inspection the update provided information on the current demand and timeliness of Education, Health and Care Plan assessments. The report also highlighted the work undertaken to develop a speech and language strategy for early years.

The committee requested that the action plan come back to committee for members to consider the progress the action plan. Members acknowledged the need for de-escalation of the increasing demand of EHCP cases received. The committee supported the work undertaken on the draft speech and language strategy.

b) Home to School Transport Services Update

Following a further report to Cabinet on Home to School Transport Services being considered in July 2024, the committee received an update report to its September 2024 meeting. The report highlighted priority areas and included information on Durham County Council's concessionary scheme, a simplified process for providing travel budgets for pupils with special educational needs and procurement updates. Information was given on the current budget position which had seen expenditure double since 2019/20. Increases in costs were expected to continue due to the impact of inflation on contract costs and growing demand from pupils with SEND.

The Committee also agreed that further reports on the Home to School Transport Service recommendations be brought forward to the CYPOSC.

c) Vaccinations, Best Start in Life, and Family Health Services

The Committee's meeting on 8 November 2024 was a themed session with reports and presentations considered in respect of the progress made in addressing the Maternity and Childhood Vaccinations Best start in Life priorities, Tobacco Dependency in Pregnancy and Breastfeeding; the 0-25 Family Health Service workforce and service delivery across County Durham provided by Harrogate and District NHS Foundation Trust.

The committee noted the broad assurances that effective partnerships and processes were in place to deliver all maternity, childhood and adolescent vaccinations to all County Durham residents. The committee supports the efforts to increase access to smoking cessation and support for pregnant women and their families and supports the campaign for the normalisation of breastfeeding within our communities. The committee also noted the content of the 0-25 Family Health Services report especially the information given on the delivery of the Healthy Child Programme.

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

Chair Councillor Sam Zair

Vice Chair Councillor Angela Surtees

a) Strategic Place Plans

The committee in early 2024 when considering a report on Masterplan activity had been informed that the Authority going forward would be revising its approach through the creation of Strategic Place Plans (SPPs) in line with the principles and priorities of the Inclusive Economic Strategy. The members of the committee highlighted the need for Overview and Scrutiny to be kept updated on the development of this new approach and also progress in relation to the pilot areas.

This resulted in the committee considering a report and presentation which provided members with detail of the pilot approach to SPPs, the Spennymoor case study and its alignment with the SPP model and outlined the delivery of future SPPs and the factors influencing the order of delivery. The Service Grouping requested members thoughts and comments in relation to the approach and factors identified for consideration in prioritising the development of plans for the remaining towns in the county. This resulted in an Overview and Scrutiny response being prepared and shared with the Service

Grouping which detailed members comments in relation to factors for consideration in prioritisation, the engagement process, the development, and rollout of future SPPs and current pilot areas. The Overview and Scrutiny response will be used to further development the future SPP model and approach.

b) Draft County Durham Housing Strategy and Delivery Plan

The Committee has had significant involvement in the development of the draft County Durham Housing Strategy and Delivery Plan. This involvement commenced with a workshop held in July 2023 to which all Overview and Scrutiny members were invited and then subsequent meetings of the committee in December 2023 and April 2024 where members considered drafts of both the strategy and delivery plan. Members comments made at the workshop and meetings were formulated into Overview and Scrutiny responses which were shared with the Service Grouping to inform the future development of both the strategy and delivery plan for consideration by Cabinet and Council in July 2024.

However, at the July Council meeting the strategy and delivery plan were deferred due to members concerns at the proliferation of Houses of Multiple Occupation (HMOs) in the county, the lack of reference to DCC's approach to controlling the number of HMOs in the future and the potential use of Article 4 Directions. There were also concerns at the number of new builds and delivery timeframe for the Council House Build Programme. This resulted in the E&E OSC at the September meeting receiving two separate reports providing an update on the Council House Build Programme issue and the HMO issue. The comments made by members concerning both reports were formulated into an Overview and Scrutiny response which was shared with the Service Grouping to ensure that appropriate changes were made to both the strategy and plan, reflecting members concerns. The revised draft strategy and delivery plan were subsequently presented to the E&E OSC on the 4 November, where members made further comments to inform the draft strategy and delivery plan which will be considered at a future Cabinet and Council meeting.

c) Visits to FE Colleges

The Committee has previously received updates setting out the current progress in supporting skills development across the county.

The last update to committee in March 2024 highlighted current funding opportunities presented by the County's UK Shared Prosperity Fund (SPF) allocation. It was suggested by the Service Grouping at this meeting that members of the committee may want to visit some of the FE Colleges within the County to see firsthand the range of training offered and the delivery of UK SPF commissioned skills programmes. Arrangements were made for Overview and Scrutiny members to visit both New College Durham and East Durham College. The visits provided members with detail of the performance of both colleges, the investment within the colleges, the range of training provided, links with local employers, bespoke/niche training, working in collaboration with partners and future plans. In addition, those members who attended were given a tour of the facilities at both sites and had an opportunity to speak to students.

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

Chair Councillor Bev Coult
Vice Chair Councillor Jonathan Elmer

a) Leisure Transformation Programme

The Environment and Sustainable communities is the lead Overview and Scrutiny Committee for leisure and on the 23 September together with members of the Economy and Enterprise Overview and Scrutiny Committee they considered a report and presentation providing an update on the progress of the Leisure Transformation Programme for County Durham.

The members of both committees were presented with information providing a comprehensive overview of the Leisure Transformation Programme with a focus on key areas including: a summary of Cabinet decisions, background and context to the programme; an overview of the leisure market in County Durham and comparisons; detail of costs across the programme; an explanation of the VAT exemption challenges pre-2023; detail of capital delivery to date; an overview of leisure costs to the council; explanation of site locations appraisals for new builds; overview of options and decisions in relation to the £10m MTFP commitment; detail of currently non-programmed sites and consultation work and outputs undertaken to date.

It was recognised within the report and presentation that the scope of the project had changed since its original development work in 2018 because of various external pressures. However, the programme is delivering substantial benefits to communities at a time when local authority budgets are under unprecedented pressure and many local authorities have taken the decision not to invest in leisure facilities.

b) Resources and Waste Management Services in County Durham

At the July meeting of the committee members received a strategic overview and update on waste management services within County Durham. The committee receives regular update on the management of waste within the county and had requested that the report and presentation provide detail of: waste tonnages and levels of recycling within County Durham with comparative information on a regional and national basis; what we are doing to reduce contamination within kerbside recycling; an update on various waste campaigns including the successful Waste Electrical and Electronic Equipment (WEEE) and vapes; detail of the implications of the Environment Act, Resource and Waste Strategy, Simpler Recycling for the authority and an update on the Tees Valley Energy from Waste Project.

It was commented by members that the introduction of various legislation will impact significantly on the role of DCC with free weekly food waste collections for households, an expanded garden waste service and the potential to change the way we collect recycling from households. The committee therefore determined that they needed to be kept updated on work being undertaken within the service to meet the above requirements and have therefore included a further progress update on waste management to be considered at a special meeting in February 2025.

c) Durham County Council Theatres and Cinemas

The committee included within its 2024/25 work programme an update on the management of Durham County Council's Theatres and Cinemas. The members included this update within the work programme as they were concerned at the decrease in attendance figures particularly in relation to DCC cinemas reported in the quarterly performance reports and wanted to know what action was being taken to increase attendance figures.

A report and presentation were provided to members of committee and also members of the Economy and Enterprise OSC at the November meeting. Members were provided with background to Durham's offer; national and regional context; detail of the offer at the Gala, Bishop Auckland Town Hall and the Empire at Consett; detail of programme quality and balance across all three venues; engagement and participation including Schools' and Young People participation and event cinema pilot programmes; current pressures and detail of future approach and development.

The committee was informed that an Audience Development and Engagement Manager had been appointed to grow audiences and participation at the venues together with the introduction of demand-based pricing. The committee will continue to monitor the performance of the venues via the quarterly performance management reports.

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

Chair Councillor Phil Heaviside
Vice Chair Councillor Joyce Charlton

a) Hate Crime

In September 2024, the committee received a presentation from Durham Constabulary on hate crime. The refreshed Safe Durham Partnership Strategy 2024 -2029 focuses on hate crime and the committee wanted to better understand, recognise and support their communities in facing issues with hate crime.

Members were informed about the five forms of hate crime, what did and did not constitute a hate crime and the ways in which hate crime could be reported. When something was classified as a hate crime, the courts can impose tougher sentences under the Crime and Disorder Act 1998 and the Criminal Justice Act 2003. Lesser crimes are dealt with by community resolution.

Members were advised the Joint Hate Crime Action Group works in partnership to agree and implement a co-ordinated approach to issues associated with hate crime including analysing intelligence, agreeing co-ordinated action to address patterns and trends. Members expressed their concern at the increasing prevalence of online hate crime which they felt had fuelled disturbances across the country during the summer.

b) Combatting Drugs and Alcohol

Following a two-phase independent drugs review by Dame Carol Black in 2021/22 the government published a new drugs strategy. In County Durham, a three-year multi-agency delivery plan was developed based on the three objectives of the strategy and recommendations from a Joint Needs and Assets Assessment (JNAA). The In October the SSC OSC received an update of the work of the County Durham and Darlington Combatting Drugs and Alcohol Partnership and the Operational Group and Delivery Plan.

It was reported that Dame Carol Black funding had been vital to fund all work and the committee were informed that assurances for funding for a further year had been given. A refresh of the JNAA would take place to set the baseline for additional improvements to look at assets and identify any gaps. Over 3000 clients accessed support on an annual basis within County Durham which had improved better outcomes for service users.

Members were advised that service users could either detox at home by receiving the appropriate medication and being managed throughout or by entering residential rehabilitation centres. In response to a question about waiting times for detox, members were assured that waiting times were usually two to three weeks but it very much depended on whether a service user was ready to accept help and were committed to getting sober and or clean.

c) Counter Terrorism and Security Act 2015

In October the Committee received an update on progress of the Safe Durham Partnership in meeting the statutory duties contained with the Counter Terrorism and Security Act 2015.

The UK Counter Terrorism Strategy (CONTEST) had been refreshed in October 2024 but maintains the principles of the Four Ps (Prevent, Pursue, Protect and Prepare) and focuses on preventing terrorism activity in the UK and protecting our interests overseas. The Prevent Strategy aims to reduce the threat to the UK of terrorism by preventing people from being drawn into terrorism.

The Prevent Duty' places a general duty on those authorities that have a role in protecting persons who are susceptible to being drawn into terrorism. to have due regard to prevent people from being drawn into terrorism. Channel is a key part of Prevent and is a multi agency

approach to identify and support individuals vulnerable to being drawn into terrorism. The role of Durham County Council was outlined for members. Members were pleased to learn that a lot of training was provided to schools and any agencies which worked with children.

Background Papers

Reports and minutes (June – November 2024)

- 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

Contact: Stephen Gwilym

Tel: 03000 268140

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