

Minutes OF A MEETING OF THE



Listening Learning Leading

Scrutiny Committee

**HELD ON TUESDAY 7 NOVEMBER 2023 AT 6.00 PM
ABBAY HOUSE, ABBAY CLOSE, ABINGDON OX14 3JE**

Present in the meeting room:

Councillors: Ken Arlett (Chair), Mocky Khan, Tony Worgan, Leigh Rawlins, James Barlow and Kate Gregory

Officers: Simon Hewings (Head of Finance), Candida Basilio (Democratic Services Officer), Andy Roberts (Communications and Engagement Officer), Emma Turner (Enforcement Team Leader)

Guests: Cabinet members Councillors Anne-Marie Simpson (Planning) and Pieter-Paul Barker (Finance and Property Assets)

Remote attendance:

Councillors: Jo Robb, Katharine Keats-Rohan

Officers: Adrian Duffield (Head of Planning), Adrianna Partridge (Deputy Chief Executive for Transformation and Operations), Mark Minion (Head of Corporate Services), Paula Fox (Planning Development Manager), Richard Spraggett (Strategic Finance Officer),

Guests: Cabinet Members Councillor Andrea Powell (Corporate Services), Councillor Maggie-Filipova-Rivers (Community Wellbeing), Councillor Robin Bennett (Economic Development and Regeneration), Councillor David Rouane (Leader), Sue Cooper (Environment)

15 Apologies

Apologies were received from Councillor David Turner. Councillors Jo Robb and Katharine Keats-Rohan were present online. It was noted that Councillors Leigh Rawlins and Kate Gregory were delayed and would be joining the meeting in person.

16 Urgent business and chair's announcements

Chair ran through some housekeeping matters.

17 Declaration of interests

None.

18 Minutes

The minutes of the South Scrutiny Committee meeting on 7 August were agreed as a correct record and the chair would sign them as such.

19 Public participation

John Salmons spoke to item nine, on planning enforcement. Mr Salmons provided his views on the enforcement process. The chair thanked Mr. Salmons for his statement.

20 Work schedule and dates for all South and Joint scrutiny meetings

Committee noted the work programme.

21 Financial outturn report 22/23

Cabinet member for Finance and Property Assets introduced the report. Also present was Head of Finance, and the Strategic Finance Officer was present online to answer questions. The Cabinet member explained that the main points were that there had been a reduction in net expenditure and a carry forward of capital spend.

Head of Finance added the following points for committee to note:

- On revenue, the budget raised to £21m from the projected £15m at budget setting in 2022, including budget carry forwards and slippage in one off Revenue growth schemes from the previous year being added to the budget and the £21m formed the basis of the variance for the year in terms of Revenue expenditure.
- Table three points out that there was an underspend on expenditure of £3.4 million but when we take into account investment income there's no significant underspend.
- There was a significant carry forward of over 4 million from certain schemes and these are shown in more detail in appendices.
- This budget was set the week before the invasion of Ukraine began which means that our expenditure budget did not take account of what happened to the economy during 2022-23 where we saw our costs go up which we had not foreseen when we set the budget. We also saw interest rates go up and utility costs supplies and services costs go up but at the same time we had more money in our investments.
- Regarding capital and the significant slippage over the last two years. We had undertaken a very detailed piece of work, looking at the revenue budget. It had been subject to significant budget challenging exercises, but we had neglected capital from such an exercise but we were rectifying that as we speak. We're in the middle of a capital programme challenge exercise now, which was reviewing all of our current capital projects in terms of meeting current corporate priorities and making sure we've got the funding.
- We had not got the profiling right when we set the capital program for 22-23, which we were endeavouring to fix as part of next year's budget setting.
- There were significant slippage items - those relating to the Community Infrastructure Levy (CIL) funding. As part of our current CIL funding strategy, we allocate all the CIL we take after the amount for Parishes and the admin levy. 50% was allocated to Oxfordshire County Council, 20% was allocated to Clinical Commissioning Group (CCG) and 30% was for South Oxfordshire. What the underspend represents was money that we had collected on behalf of CCG and hold for the CCG to spend on schemes on their behalf. We await details from CCG on what schemes the funding should be allocated to.

Below summarises the main comments and questions raised by the scrutiny committee.

- Committee asked questions of clarification on the underspend and the impact of the war in Ukraine in terms of inflation. It was responded that there was no concern that the grant funding wouldn't be enough to achieve the scheme outcomes.

- Policy Programmes underspend £4m – what was behind these underspends, was it transformation projects phasing? It was explained by Head of Finance and Deputy Chief Executive for Transformation and Operations that profiling changed due to changes to the programme. Of the 16 projects planned over 5 years, some projects were moved around so the phasing changed. Didcot Garden Town and Berinsfield Garden Town projects were now allocated and had delivery plans to match grant funding. The Cabinet member for Finance explained that the impact was a slow down on project delivery, but the budget didn't reflect that the money couldn't be spent in just that year, but the capital review would give better understanding and improve the profiling and presentation of this in budget reports.
- Cabinet member for Corporate Services added that a programme manager was now employed, and a team was in place for delivery of transformation projects. During 2022-23 the team had to settle in.
- Para 24 page 15: 200k for revenue project - it was commented that a Cabinet Member had identified this income from business rates. Head of Finance provided some context on business rates: there was no requirement for businesses to tell the council. Resources were needed to check businesses. The inspection regime was not easy. Some businesses were hard to spot. A member who knew their area well identified businesses they knew of. Mapping technology helped identify these businesses who weren't paying rates. We used a third party with tools to help, on top of the inspection regime. This was set to continue.
- Deputy Chief Executive for Transformation and Operations would respond to a question on the £200k underspend on the climate projects and what was driving that (paragraph 23, page 15 of the agenda pack).
- Queries on Homes for Ukraine scheme underspend. It was responded that the war wasn't happening when the budget was set. Support money was received from government in response. This was a phasing of funding received to support Homes for Ukraine. We can carry forward funds.
- National non-domestic rates (NNDR) – a member asked about appeals to rates. Head of Finance explained that there was provision for if a bill was challenged. We were likely over prudent about debt after the end of Covid but can release those provisions at the end of the year.
- A realistic Capital programme with better profiling – Head of Finance explained that external and internal funded capital programmes will be in the budget papers as separate budgets. There was improved use of CIL/S106 and external funds.
- Will slippage go beyond 2024/25? Head of Finance wanted a realistic capital programme, hoping that slippage would become minimal over time. It was explained that the delivery of some schemes was optimistic, hence the underspend. The review will assist in correcting this.
- Item 13/14, page 14 – agency staff costs – can we reduce? It was responded that the Legal team were trying to address this through restructure.
- A member asked for detail of variances of revenues for Planning and Development & Corporate Landlord. The former was due to a downturn in the economy, where there were less applications. The latter was due to Cornerstone and carparks. This was detailed in the report. A Cornerstone report would be presented in December.
- A member asked about budgeting for planning appeals.

Chair gave thanks for the report.

Resolved:

Committee noted the report and provided comments for Cabinet:

1. Committee were concerned that temporary/agency staff costs needed addressing
2. On planning appeals, we should have a cost budgeted for appeals, including legal costs. We should recognise the cost.
3. We need to have good control over the capital budgeting process and ask extra questions around it.

22 Consultation and Engagement annual report

Cabinet member for Corporate Services, Policy and Programmes introduced the report. Present in the room was the Communications and Engagement Manager, to answer any questions raised. The Head of Corporate Services was also online to take questions.

The report was the first of its kind, so the team were interested in Scrutiny committee's suggestions. It covered both South and Vale. You can see the range of consultation and engagements. It was worth noting that consultations are statutory for the councils, whereas engagements are voluntary reaching out exercises and align with the Corporate Plan. There was desire to innovate and use different resources to reach out to different sectors of the community. The Cabinet member commended the team for their work.

The main questions and comments raised by scrutiny committee were:

- A member asked how do consultation results follow through to the next stage consistently? The officer responded that it varies by consultation. For the Joint Local Plan (JLP), a report was produced and a recommendation from an independent officer. Planning Policy team were involved in analysis of the JLP response and produced a consultation statement on the website including officer responses. Head of Corporate Services added that we could strengthen the "what happened next" part of the analysis. He also mentioned the team will be using a new and more engaging software.
- Diversity and Inclusion strategy – of 234 people, how many were from diverse groups? The demographic profile was included in the report but some respondents were representing groups. The officer responded that they had created a database of 273 equalities organisations across our districts for direct contact on consultation and engagement.
- The officer explained they were hoping to broaden consultations by going to cafes, schools etc to speak to people. It was tricky to get young people to engage.
- It was confirmed that Inclusion and Diversity Champions were officers across the council teams.
- Committee commended the report and supported the direction.
- A member suggested focus groups and panels to help engage those difficult to reach groups, although recognition given to resourcing issues. Cabinet member suggested a targeted approach to engage young people on specific sections/themes that mean something to them. The officer did raise that always consulting the same people via a focus group was not ideal.
- Ethnicity slide – on the lower % figures, can we try to understand the granular details of those figures in future reporting?
- Cabinet member for Healthy Communities was invited to speak by the chair, and she added that this was a living document and we can always do better. The engagement was promising, and the report was a good start. Cabinet member cited some examples of outreach she was involved in. She said members can have more direct involvement in engagement in their daily work. Cabinet member for Corporate Services alerted members to the fact that the full data on individual consultation and engagement exercises can be found in their individual reports.
- Committee discussed demographics data, which was expensive but was being considered.
- A member suggested taking feedback at events, not afterwards.
- Head of Corporate Services saw the importance of reaching out to talk to people. He added that in his previous work, focus groups weren't successful. He added that the engagement team was three people.

Resolved:

Committee noted the report. Committee's comments to Cabinet were as follows:

1. We should link consultations to our Corporate Plan themes – the golden thread concept.
2. Committee supported the direction to reach underserved residents, and to apply a deeper approach where we could afford to.

Officer and Cabinet members were thanked.

23 Planning enforcement update report

Cabinet member for Planning introduced the report, supported by the Enforcement Team Leader and Head of Planning:

The report provided an update on the continued improvement of planning enforcement work. Overall since the last report the on-hand enforcement case numbers had been further reduced and the performance improvement in throughput of cases had been maintained. In graph one on page 63 overall case numbers were continuing to fall. Councillors requested further reporting on older cases up to and over 36 months and graph two on page 64 confirms that focus on reducing the older cases was also starting to progress. In April, extra resources were moved into the team to help with managing workload and achieve the six-week performance target. This had worked well with greater consistency in the six-week performance target as seen on graph three on page 65. The additional resources had been made permanent to enable the team to maintain its improved performance and deal with an increasingly complex case load. Complex cases means, for example, sites with multiple breaches and or where a multi-agency team both internally and with our partners was required.

The Cabinet member considered that the current planning enforcement statement which sets out our approach to plan enforcement was working well and that there was no need for further change at this time. Cabinet member welcomed any questions or comments from the committee.

The committee provided their comments and questions, outlined as follows:

- Member would like to see the numbers at zero to six months.
- Scoring elements – a member asked whether this had been reviewed as per the last scrutiny meeting, to give higher scores to the most serious cases. The officer explained that the feedback that they got was reviewed, and as a result, they added greater weight to breaches of condition. You can see in the triage form that there was now a weight given of four. Anything that hits a five or more goes to the next stage of investigation.
- Paragraph 12 was highlighted by a member for showing the district was bucking the national trend of meeting customer demand and resourcing. A member would like to see qualitative data on the work of the team. Anonymised case studies etc, to highlight examples. Number of notices served as well? Background could be given to law and the framework the team works to. A suggestion was given that six-monthly reporting was too onerous, and yearly, with some qualitative data, would be better. The Cabinet member explained that there was no national targets to work to at present – she added that notices served wasn't a good measure. The Cabinet member informed that other authorities were asking the team about their work, which was a sign of success. Parish and Town council training had been helpful in informing people of how the system works with the new Enforcement Statement (this was a previous scrutiny suggestion). Head of Planning suggested we could bring appeals success as a measure for enforcement, in due course. Enforcement appeals were over 90% won by the district. The Government was reviewing performance for the planning regime, but so for its mainly quantitative data suggestions.
- The officer explained that there wasn't a backlog like during Covid, and there would always be open cases. Open cases had been brought under 300. The team was now focussing on complex cases due to reduced backlog. Cases were now on-hand, not backlog.
- Chair added that officers should focus on casework primarily, and we should avoid too many demands on reporting.

Resolved:

Committee noted the report and provided the following comments to Cabinet.

1. Annual reporting wanted on monthly and annual figures of new cases coming through. Inclusion of cases 0-6 months.
2. Committee would like to be updated on the triage scoring.

The meeting closed at 20:04

Chair

Date