

# REVIEW OF THE OVERVIEW & SCRUTINY FUNCTION

Date: Wednesday 3<sup>rd</sup> April 2024  
Agenda Item:   
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Key Decision? NO  
Local Ward  
Members



Lichfield  
District Council

## OVERVIEW & SCRUTINY COMMITTEE

### 1. Executive Summary

- 1.1 To report the work and outcomes of the Overview & Scrutiny Committee and Member Task Groups for the year 2023-2024. All information has been taken from previously approved minutes, task group notes and decision notices.

### 2. Recommendations

- 2.1 To provide comments and feedback on the operation of the Overview & Scrutiny structure and function for 2023-2024.

### 3. Background

#### 3.1 **The Overview & Scrutiny function at Lichfield District Council.**

Following a previous review conducted by member task group in July 2021, the Overview & Scrutiny function was changed from a four-committee system to one overarching scrutiny committee and a greater emphasis on the use of member task and finish groups. The move to a one Committee structure was expected to create several outcomes:

- 3.1(1) *An oversight of all Council functions by one team of members with no risk of overlap of work as seen with the old structure.*

There has been no overlap of work of O&S since moving to the one Committee structure. The advantage of having one O&S Chair also ensures that the work programme of both the Committee and any Task Group is monitored and efficient use of Member time is priority.

- 3.1(2) *The number of formal committee meetings reduced therefore a more efficient use of resources.*

The number of O&S Committee Meetings for 2020/21 (the final year of a four-committee structure) was 17 with an additional 13 task group meetings. There were also two coordination meetings between the four Chairs. In the first year of the new one Committee Structure (2021/22), there were five Committee meetings with an additional 10 task group meetings. This year (2023/24) this has increased to eight committee meetings (including this one) with an additional 10 task group meetings. There is a cost to holding Committee meetings, which has been reduced with the lower number of formal meetings compared to the previous system, reduced number of reports for noting and more meaningful outcomes.

Although the cost of the O&S function should be considered, the priority is to ensure best value for residents. Many reports in the final year of the old four committee structure were for noting or were requests for processes to be “endorsed”, 20 reports were purely noted or endorsed. In the first year of the new one Committee structure, 0 reports were purely for noting or endorsement. This remains true for 2023/24.

3.1(3) *There be a robust selection of topics for O&S and a greater number of topics aligned with strategic plan*

As part of the improvement package to the O&S function, a toolkit was introduced that detailed the function of O&S at Lichfield District Council as well as how Members could request topics be considered by the Committee. This was to ensure that Committee’s time could be used most effectively, and meaningful outcomes could be provided. The process has not been utilised as well as hoped, however the current Chair has re-introduced the process at the first meeting of this year. The Committee is given the opportunity at each meeting to also raise topic suggestions to which the Chair considers whether there is a link to the Strategic Plan as well as impact to residents.

3.1(4) *Chair and Vice Chair demonstrating skills needed*

The Chair of Overview & Scrutiny is now appointed by Full Council to allow all to decide whether nominated members have the right skills required for the enhanced role.

3.1(5) *Better questioning by members/less speech making.*

This is for the Committee to consider if the new O&S function has continued to enable effective questioning. A dedicated overview and scrutiny training session was held in February 2024, delivered by the Local Government Association.

3.1(6) *Track timelines from introduction to final approval, greater gaps will show earlier O&S involvement.*

This is for the Committee to consider if the new O&S function has continued to enable this.

The 2023 to 2024 year has been the third year of the operation for this new system. This annual report, as required by the Councils Constitution, is to highlight the work and the outcomes of the Committee as well as any Member Task Groups that has been or is in operation.

## 3.2 **Items Covered by The Full Committee.**

### 3.2(1) **Medium Term Financial Strategy**

Overview and Scrutiny Committee played a key role in the development of the MTFs, reviewing the strategy on 14 September 2023, 14 November 2023 and 30 January 2024. The committee’s input into the final version of this report in January 2024 is summarised below:

- Consider allocating the additional funding of c£100,000 from the Final Local Government Finance Settlement to Voluntary and Community Sector funding.
- Consider a 0% increase in car parking fees at the next pricing decision point (September 2024 for 2025/26).
- The allowance for inflation may need to be increased especially for fuel given the attacks on shipping in the Red Sea.
- The Council should still seek to make savings/efficiencies through a review of base budgets.
- The approach to closing Funding Gaps should not solely be focussed on efficiencies/savings but should also consider revenue and income streams.
- A maximum 2.99% Council Tax increase should be considered given the marginal difference to the proposed £5 increase which is 2.66%.
- To encourage residents struggling with Council Tax, the website should have more focus on encouraging contact.

- The Committee requested to review the Cinema Business Plan.
- The Committee requested the reasons why the Lichfield St Johns Community Link and the Falkland Road Fosseyway Canal Walk have not been able to spend CIL in line with the grant agreement.
- An element or 'quota' of the Voluntary and Community Sector funding should be set aside for Young people, based initiatives with a role for the Youth Council in determining priorities.
- The Council should consider providing feedback on the budget consultation exercise to those that responded with comments and views.
- The Council should seek to obtain more qualitative views through the budget consultation.

### 3.2(2) **A Cinema for Lichfield**

A Special meeting of Overview & Scrutiny was called on 30 November 2023 specifically to allow member scrutiny of the proposed Cinema for Lichfield District report before it was taken to Cabinet and Full Council. Members asked questions of the Leader of the Council, Deputy Leader of the Council, Chief Executive and Section 151 Officer as part of this scrutiny in both public and private sections of the meeting. Outcomes of this work:

- Members recommended that the contract should include a commitment that Evolve will seek the 'best possible price' when going to market.
- In reference to recommendation 2.2ii, members requested clarity on what future scrutiny of the ownership model members would have. It was confirmed the wording of recommendation 2.2 would be clarified if not amended for the Cabinet recommendation.
- Members recommended that reference to the ownership model should be included at 3.17.
- Members asked why key risks E and F appeared to not be reduced via mitigation. The Chief Executive agreed to investigate this.
- Members requested clarity on the figures relating to the GBS LEP and it was agreed that references to the GBS LEP would be reworded where possible.
- Overview & Scrutiny requested briefing notes to be provided on the LLP going forward.

Following this meeting, the Chair of Overview & Scrutiny attended the December 5th Cabinet meeting to directly provide the committees feedback to Cabinet members.

### 3.2(3) **Planning Committee Protocol**

Three central issues relating to the Planning Committee Protocol were highlighted for feedback from O&S:

1. How to process member call-ins following a member departure, either as a result of an election seat change, bi-election seat change, standing down or death.
2. How to provide member support for both views (objectors and applicants) in single member wards/ward where only one member is not a member of the planning committee.
3. Speaking times at committee

The outcomes of the scrutiny on this are below:

On Point 1 members highlighted their unease to officers at asking substitute councillors based on their political party to speak at planning committee and believed the process should remain apolitical. Opposition to necessitating a member to represent a particular view on a planning issue was also made very clear, as was the continued support for call-ins.

On Point 2 the committee opposed the concept of permitting residents living in a single member ward to seek representation from an alternative member if their councillor did not share their exact view on planning matters. Defining the role of councillors speaking at planning committee as a voice of the ward was supported by the committee.

On Point 3 the committee supported reducing the speaking time at planning committee meetings to 3 minutes for objectors, 3 minutes for applicants/their agents and 3 minutes for ward members.

### 3.2(4) **Councillor Community Fund**

Overview & Scrutiny reviewed the Councillor Community fund at their meeting on 14 November 2023. Following its initial pilot run, and an interim evaluation by O&S in 2022, members questioned the Cabinet Member for Community Engagement and plans for the future shape and direction of the Councillor Community Fund. Overview & Scrutiny provided feedback on the impact of the Councillor Local Community Grant Fund to this point; the continuation of the scheme and its proposed improvements; the level of funding available per councillor. The committee additionally proposed that employing a part time member of staff to facilitate small groups accessing grant funding may be appropriate.

### 3.2(5) **Empty Homes Policy**

Overview & Scrutiny reviewed the Empty Homes Policy in January 2024. In addition to questions asked of the Assistant Director Resident and Business Services, the following suggestions were made and taken on board as part of the review.

- More clarity in the report on negotiations with potentially vulnerable owners who may not have local relatives.
- Suggested that the development team at LWMTS, could provide support on EDMOs and CPOs.
- The committee obtained confirmation that a revival of the landlord forum was being considered.
- Suggestion to work with the private rental sector and liaising with estate agents as potentially helpful avenues to get this policy working effectively.

### 3.2(6) **City Centre Pedestrianisation Trial**

The Overview and Scrutiny Committee scrutinised the trial pedestrianisation to the meeting date, focusing particularly on the lack of consultation with members, the part-time/hybrid system and issues faced by blue badge holders. As a result of this, it was promised that the results of the consultation process will be reported to the committee prior to any potential changes to make pedestrianisation permanent.

The committee examined amongst other points:

- If there were any other towns or cities where this kind of pedestrianisation had worked previously.
- Why the decision on pedestrianisation was published before the report came to O&S for consultation with members.
- Why the cabinet member had not referred herself to the committee for advice.
- If there had been any additional car parking provision for blue badge holders on Thursday-Sunday.
- What the plan is for enforcement.

- Why considerably less had been spent on comms than on consultation fees.

### 3.2(7) **Knife Angel**

The Overview & Scrutiny committee examined the arrangements around the Knife Angel and received information on this at the November (14th) 2023 meeting. The committee scrutinised LDC budgets for public health messages/events, legacy of the project within schools, and funding from the PFCC. Through this work, the committee also examined the decision-making process on the associated £25,000 of funding relating to the Knife Angel, and which elected representatives had any input into this approval process. As a result, the Cabinet member acknowledged that in retrospect this proposal should have been presented to O&S beforehand.

### 3.2(8) **Local Elections 2023 Review**

The committee conducted a review of the 2023 Local Elections, with particular scrutiny on the impact of the Elections Act 2022 introduced by central government. The committee questioned both the Chief Executive and Assistant Director Operations, Regulation and Enforcement as part of this process. Suggestions were made on the use of SPI data to identify reasons for any drop in turnout in specific wards including any links to higher levels of deprivation.

### 3.2(9) **Governance of Planning Obligations – Strategic Infrastructure Group and allocation of Community Infrastructure Levy**

The committee examined the Governance of Planning Obligations – Strategic Infrastructure Group and allocation of Community Infrastructure Levy at the January 2024 meeting. The Cabinet member confirmed that the Local Plan process was now in place and that the authority was looking at how to effectively introduce the infrastructure levy to effectively allocate CIL money. In response to the input of Overview & Scrutiny, the membership of the proposed cross-party panel to look at how to best distribute the money would be extended to a minimum of 5 councillors including the Cabinet Member.

The committee questioned the Cabinet member and obtained assurances that the proposed member panel would feed back to O&S on a periodic basis.

Among other questions, the committee asked:

- Whether the problems that occurred last year had been fully addressed.
- Why some previous bids were not approved despite support from O&S.
- Ways that would be effective to ensure officers do not merge applications for CIL money to ensure applications meet the required criteria.

The committee also recommended a standing item on the SIG agenda to review the infrastructure list and ensure transparency with its ownership, as well as involving parish councils in this process.

### 3.3 **Call In**

The Committee can exercise the right to call in, for reconsideration, key decisions made but not yet implemented by the Cabinet. The full Call In process can be found in the Council's Constitution.

There has been one approved Call In request made in the year 2023/24, on the issue of 'Appointment of LATCO Board Member' and discussed at the September 2023 meeting of the committee.

### 3.4 **Member Task Groups.**

There have been five Member Task Groups in operation throughout the 2023-2024 year. The below give further detail on each.

#### **3.4(1) Pedestrianisation**

Chaired by Cllr Norman, this Task Group was created in September 2023 with its first meeting taking place in January 2024. They have met once so far in the 2023-2024 municipal year, to hear feedback on the trial pedestrianisation rollout and implementation from members of the public. These witnesses provided members with insight on the impact on blue badge holders and local businesses affected by the trial.

Membership: Cllrs Norman, Cross, Coe, Bragger, Ashton

#### **3.4(2) Lichfield City Centre Masterplan**

Chaired by Cllr Ball, this Task Group was created in May 2021 and has met five times during the 2023/24 municipal year so far. The outcomes of this group to date is to consider the design code, address items 'to be agreed' on the Birmingham Road Site, examine the approach to affordable homes in the city centre.

Membership: Cllrs Ball, Hughes, Harvey-Coggins, Cross, Checkland, Ray, J. Smith and Whitehouse

#### **3.4(3) New Leisure Centre**

Chaired by Cllr Leung, this Task Group was created in April 2020 but due to the nature of the project is still meeting. They have met once so far in the 2023-2024 year with an additional meeting next week. Their work has led to a review of the traffic plan with county council; identification that additional toilet facility options would need to be explored to accommodate the community room and café.

Membership: Cllrs Leung, Robertson, Ray, P. Taylor, Vernon and Yeates.

#### **3.4(4) Civic Matrix**

Chaired by Cllr Robertson, this Task Group was formed by O&S to examine the Civic Matrix and recommend improvements following the Civic Matrix Review presented to committee at the September 2023 meeting of O&S. They have met once in 2023-2024 and concluded their work within this meeting, presenting a new points-based scoring mechanism to committee.

Membership: Cllrs Robertson, Ball, Checkland, J. Smith, Vernon and Woodward.

#### **3.4(5) Climate Emergency**

Chaired by Cllr Norman, this group has met once during the 2023/24 municipal year to question the Cabinet member and review the councils Carbon Reduction Action Plan. The Task Group made requests to the Cabinet member, including district council support for parish councils calculating their own carbon footprint and information about ways to improve the heating system of Lichfield District Council House. The task group obtained confirmation that the amendment to a motion approved at Full Council in October 2020 would not preclude the application for a heat network delivery unit being made by Shenstone.

Membership: Cllrs Norman, Robertson, Powell and Ho. Mike Kinghan (external) and Pam Beale (external).

Alternative options	<ol style="list-style-type: none"> <li>1. Overview &amp; Scrutiny is required to hold the Executive to account and can help shape policy, contribute towards the continuous improvement of Council services and review or investigate matters of concern either within the District Council or within the Community. The Council could choose to govern in a different manner from the current executive arrangements.</li> </ol>
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Consultation	<ol style="list-style-type: none"> <li>1. None</li> </ol>
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Financial implications	<ol style="list-style-type: none"> <li>1. The reduction in the number of committees has led to significant savings in Chair/Vice Chair Allowances.</li> <li>2. The reduction has also released officer capacity with one rather than four meetings to be staffed and managed. This includes any officer overtime to be recouped at a later date.</li> </ol>
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Approved by Section 151 Officer	Yes
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Legal implications	<ol style="list-style-type: none"> <li>1. Insert legal implications in bullet point format. Ensure that these have been discussed in advance with a suitably qualified legal officer.</li> <li>2. Detail any rules of procedure actions undertaken in developing the recommendations for the report.</li> </ol>
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Approved by Monitoring Officer	Yes/no*
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Contribution to the delivery of the strategic plan	<ol style="list-style-type: none"> <li>1. The Scrutiny function reviews and helps progress the delivery of the Strategic Plan through feeding views into matter pre-decision.</li> </ol>
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Equality, diversity and human rights implications	<ol style="list-style-type: none"> <li>1. The Committee should be considering these matters when deliberating on reports and items.</li> </ol>
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EIA logged by Equalities Officer	Equalities Officer confirmed not required.
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Crime & safety Issues	<ol style="list-style-type: none"> <li>1. None</li> </ol>
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Data assessment	<ol style="list-style-type: none"> <li>1. None</li> </ol>
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Environmental impact (including climate change and biodiversity)	<ol style="list-style-type: none"> <li>1. These are considered via individual items however the Committee are still conscious of reducing any impact. Task Groups are held virtually where possible to reduce the usage of energy at the Council House as well as the need to travel. Printing of papers should only be permitted in exceptional circumstances.</li> </ol>
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GDPR / Privacy impact assessment	<ol style="list-style-type: none"> <li>1. None</li> </ol>
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	Risk description & risk	Original	How we manage it	New score
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	owner	score (RYG)		(RYG)
A	No O&S Function leading to no democratic check and balance for the decision-making body.	Likelihood: Green Impact: Yellow Risk: Yellow (material)	Ensure there is a functioning O&S Committee and the importance of its function made clear through the Constitution.	Likelihood: Green Impact: Green Risk: Green (tolerable)
B	No robust selection of topics to ensure O&S time is used to best effect.	Likelihood: Yellow Impact: Yellow Risk: Yellow (material)	Implementation of the O&S toolkit. The Committee is given the opportunity at each meeting to also raise topic suggestions to which the Chair considers whether there is a link to the Strategic Plan as well as impact to residents.	Likelihood: Green Impact: Green Risk: Green (tolerable)

Background documents	
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Relevant web links	Link to minutes and agendas of O&S meetings 2023/2024: <a href="https://democracy.lichfielddc.gov.uk/ieListMeetings.aspx?Committeeld=268">https://democracy.lichfielddc.gov.uk/ieListMeetings.aspx?Committeeld=268</a>
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