

OVERVIEW AND SCRUTINY COMMISSION

DATE: Monday, 16 January 2023

TIME: 5.30 pm

VENUE: Council Chamber - Civic Centre, St Luke's Avenue, Harrogate HG1 2AE. This meeting will be livestreamed here:
<https://bit.ly/HarrogateYouTube> (Copy and paste the link in your browser).

Notice is hereby given that the above meeting will take place for the purpose following and, by virtue of Section 100B(4)(b) of the Local Government Act 1972, any other matter(s) which the Chair considers should be dealt with at the meeting as a matter of urgency.

AGENDA

| Item | Title | Page Number |
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| 1. | APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES: | |
| 2. | DECLARATIONS OF INTEREST: Members to advise of any declarations of interest. | |
| 3. | MINUTES: Of the meeting of 7 November 2022. | 3 - 8 |
| 4. | EXEMPT INFORMATION: To determine whether to exclude the press and public during the consideration of any exempt items. | |
| 5. | PUBLIC ARRANGEMENTS- QUESTIONS: To consider any questions under Standing Order 27. | |
| <u>SPECIAL MEETING OF THE COMMISSION</u> | | |
| 6. | INVITATION TO THE CHIEF CONSTABLE (NORTH YORKSHIRE POLICE): The Chief Constable for North Yorkshire Police to be in attendance. | |

MEMBERSHIP: Councillor Chris Aldred (Chair). Councillor John Mann, Councillor Sam Green, Councillor Michael Harrison, Councillor Paul Haslam, Councillor Sue Lumby, Councillor Pat Marsh, Councillor Stuart Martin, MBE, Councillor Nigel Middlemass, Councillor Andrew Paraskos, Councillor Tom Watson and Councillor Robert Windass.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Members of the public are entitled to attend this meeting as observers for all those items taken in open session.

The agenda papers may be examined at the Civic Centre, Harrogate and a copy may be purchased for £6.00.

Please contact Claire Wilson - Scrutiny Officer, at the Civic Centre, if you have any queries or need further information on this agenda - telephone or email Tel: 01423 500600 ext. 58323 Email: claire.wilson@harrogate.gov.uk.

Members of the public or press are entitled to record (e.g. film, audio, tweet, blog) this meeting. Any recording or reporting on this meeting should take place in accordance with the Council's protocol on recording and reporting of public meetings. We request that any member of the public or press intending on recording the meeting notify Democratic Services at the earliest opportunity so that any reasonable adaptations can be made. Where we have received prior notification of the intention to record a meeting the Chair will make an announcement at the start of the meeting and give any direction needed.

EMERGENCY PROCEDURES FOR MEETINGS – FIRE: On hearing the fire evacuation alarm, you should leave the building by the nearest safe fire exit. Once outside the building, please assemble in the corner of the visitor car park at the front of the building opposite the main entrance. Persons should not re-enter the building until authorised to do so by the Fire and Rescue Service or the Emergency Co-ordinator.

**OVERVIEW AND SCRUTINY COMMISSION
HELD ON MONDAY, 7 NOVEMBER 2022
(FROM 5.30 PM – 6.28 PM)**

PRESENT: Councillor Chris Aldred in the Chair. Councillor John Mann, Councillor Philip Broadbank, Councillor Sam Green, Councillor Michael Harrison, Councillor Paul Haslam, Councillor Stuart Martin, MBE, Councillor Andrew Paraskos, Councillor Tom Watson and Councillor Robert Windass.

Late Arrivals: None

Early Departures: None

53/22 – APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:

Notification had been received that Councillor Philip Broadbank was to act as a substitute for Councillor Pat Marsh. Apologies had been received from Councillor Sue Lumby and Councillor Nigel Middlemass.

(5.31 pm)

54/22 – DECLARATIONS OF INTEREST:

There were no declarations of interest made at the meeting.

(5.31 pm)

55/22 – MINUTES:

The Minutes of the meeting of the Commission held on 17 October 2022 were approved as a correct record.

(Eight Members voted for the motion and there were two abstentions)

(5.31 pm)

56/22 – EXEMPT INFORMATION:

Appendices A-E of the item considered at Minute 58/22 were considered exempt by virtue of paragraph 3 of Schedule 12A to the Local Government Act 1972 as they contained information relating to the financial affairs of the Council and were considered commercially sensitive. The appendices were not referred to and therefore consideration of this item took place in open session.

(5.32 pm)

57/22 – PUBLIC ARRANGEMENTS- QUESTIONS:

There were no public questions under Standing Order 27. The Chair explained that members of the public could contact Democratic Services via the Harrogate Borough Council website and submit a question to be answered at a future meeting of the Commission.

(5.33 pm)

**58/22 – 2022/23 OCTOBER FINANCIAL & SERVICE PLAN PERFORMANCE
UPDATE:**

The Chair welcomed the Head of Finance (HoF) and the Service Finance Manager to the meeting to present the October Financial and Service Plan Performance report to the Commission. This was the second quarterly update of the year and the overall

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financial forecast for the year-end position was an overspend of just over £2.5million. The forecast was based, for the most part, on actual figures to the end of August 2022. The overspend would be met through use of the Budget Transition Fund and the working balance. It was confirmed that Harrogate Borough Council (HBC) was working with the other councils, as part of the re-organisation, to develop a budget for 2023/24, for the new unitary council. The current and forecast positions would be taken into account as part of that process.

The specific main variances that made up the forecast overspend were in Table 1 at paragraph 5.2 of the main report. The well-publicised increases in utility and fuel prices were the largest variance, the estimated extra cost in 2022/23 was £1.7million. It was noted that for electricity the council had a contract where prices were fixed for 12 months, and this was below the recently elevated price cap. There could be a reduction in gas costs of around £600k as a result of the Government's Energy Bill Relief Scheme, but the council was awaiting further guidance and clarification about this from the Yorkshire Purchasing Organisation.

Another significant variance of £1.1 million was as a result of the 2022/23 pay award. When the 2021/22 outturn report was considered by Management Board it was expected that the pay award was likely to be agreed at a level higher than the budgeted 2.5% (it was anticipated it might be in the order of 4%), the actual increase of £1,925 on every spinal column point represented an average increase of circa 6.7%. It was confirmed that the cost pressures would be partially offset by salary savings due to vacancies and it was anticipated that the savings from vacancies was likely to increase further by year-end. Members considered the reported staff turnover rate of 16% and the impact on remaining staff due to vacancies across the council, it was noted that members of the public and Councillors should be mindful of this. The hard work and commitment of staff was noted, with a request for the officers attending to pass thanks to their teams and more widely. Members noted that the Cabinet Member for Resources, Enterprise and Economic Development had recently approved the use of New Burden funding to provide temporary staffing resource, this was to reduce a backlog and provide resilience in the local taxation team.

Members considered the off-street car parking income shortfall and the deterioration of £215k since quarter one reporting. It was confirmed that the car parks most affected were the multi-storey car parks in Harrogate town centre (Victoria and Jubilee). It was noted that the view from the Head of Service was that Local Government Reorganisation (LGR) represented a good opportunity to address this through a joined up approach to traffic management across the county.

Following a question from Councillor Sam Green about the potential impacts for tenants as a result of lower spending on planned maintenance in the Housing Revenue Account (HRA), it was confirmed that there was no drop in standards. The saving of £2m in the HRA was primarily the result of alternative ways of financing projects and programmes.

Following a question from Councillor Tom Watson about the factors causing the planning application income shortfall, it was confirmed that both large and small applications were affected and had not returned to pre-pandemic levels. Members

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noted that this could be due to the current financial climate.

Members considered green waste and it was noted that the income from subscriptions was better than budget but increased disposal costs were forecast. It was confirmed that the overspend of £65k on winter gritting related to HBC sites and was a result of late invoices relating to 2021/22. Residual waste was waste that could not be recycled and was disposed of at Allerton Park, Members noted the good performance in this area. The report highlighted the lowest quarterly tonnage of residual waste collected since recording of this began, this was likely due to more recycling. The Chair also commented on the significant achievement relating to the council's carbon footprint, which had reduced by half over a ten year period.

The Chair thanked all those attending for their contributions and attendance at the meeting. Cabinet would consider the same report at their meeting on 9 November, it was noted that the Overview and Scrutiny Commission reported to Cabinet on an exception basis, and based on the considerations at the meeting it was agreed that there would be no referral of comments or recommendations from the Commission.

(5.34 pm – 5.58 pm)

59/22 – CORPORATE PERFORMANCE REPORT, Q2 2022/23:

The Improvement and Development Manager (IDM) had submitted the Corporate Performance Update for the second quarter of 2022/23, including two appendices the Delivery Plan and Corporate Health Report which contained information on performance indicators. The IDM introduced the report explaining that performance was considered good in the context of cost of living increases, fuel and energy price rises. Council staff were also dealing with increased workloads due to Local Government Reorganisation with the formation of a new unitary council in less than six months. The reporting period also covered the summer months where there had been challenges associated with very hot weather.

The IDM highlighted some areas of good performance within the report, including:

- Harrogate Convention Centre (HCC) indicators on track
- Economic Growth Strategy approved
- Better than target recycling rates
- Progress on the roll-out of EV chargers
- Valley Gardens development strategy
- Low levels of staff absence due to sickness

Areas where performances was below target included:

- Length of stay in B&Bs
- Time to re-let council properties
- Debt recovery

The below target performance relating to debt recovery was attributed to time taken for pre-action responses. It was **agreed** to circulate more narrative information about debt-recovery performance to Members, if available. There was also some concern relating to the timelines for nursery modernisation, Ripon renewal and energy

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efficiency works on council homes.

In response to a query about the large number of allocation refusals (social housing) it was **agreed** to request some more detailed information from the Head of Service and circulate to Members.

Following a question from Councillor Tom Watson it was **agreed** to provide an update about any costs to the council associated with the positioning of new larger bins.

The Chair referred to Members' questions generally and explained that, in order for fuller responses to be given within the public meeting setting, Members were always encouraged to submit their questions in advance of the meetings.

Councillor Michael Harrison asked about how the new unitary council was incorporating the corporate priorities of each of the councils and it was confirmed that work was underway to develop a Council Plan for the new North Yorkshire Council that took into account existing or ongoing priorities. It was confirmed that approval of the new Council Plan would be before Members of North Yorkshire County Council in February 2023. It was confirmed that there would be a particular focus on live-monitoring of corporate performance in the initial period of the new council, this was in order to be able to put any necessary mitigations in place quickly.

Members considered complaint performance and it was noted that the actual volumes of complaints were considered low. It was noted that there were 40 stage one complaints and 18 of these had missed the target response time of ten days. The IDM gave a breakdown of these per service:

- Environmental services – 12
- Housing – 3
- Planning – 1
- Safer Communities – 1
- Finance - 1

It was confirmed that work had been undertaken to ensure the complaints policy was in line with the Housing Ombudsman.

Councillor Paul Haslam referred to the language within the report, for example "slightly off-target". The view was that this language was subjective and could be interpreted in more than one way, it could be more useful to include specific details or data if available.

In response to question about data breaches (section 6.7 of the report) it was confirmed that, whilst there had been 14 reported within the period, there had been no referrals made to the ICO. Any significant breach would need to be reported to the ICO and this indicated that staff were reporting even low-level breaches, which was encouraged. Members considered whether it could be useful to include ICO referral data alongside the FOI and data breach information in the quarterly performance reports.

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The Commission thanked the IDM for the report and requested that staff across services were congratulated for their continued hard work and resilience.

(5.58 pm - 6.19 pm)

60/22 – FORWARD PLAN OF KEY DECISIONS:

The Chair noted that the new format for presenting Key Decisions at meetings of the Commission was beneficial, as it only included decisions not yet taken. Members could contact the named officers for more information about any of the Key Decisions included on the Forward Plan.

(6.19 pm - 6.20 pm)

61/22 – OVERVIEW AND SCRUTINY COMMISSION DRAFT WORK PROGRAMME REPORT 2022/23:

At the start of the 2022/23 meeting cycle the Commission had agreed to focus on LGR and supporting the transition of Harrogate Borough Council into the new unitary authority. This meant items that had previously been included on the work programme would not be pursued, including a potential review of sports pitches in the area. The Chair noted that the council had undertaken significant work to develop a Playing Pitch Strategy (PPS), and the Cabinet Member for Planning had recently approved the PPS. The document was available on the council website with the papers for the Cabinet Member for Planning meeting held on 31 October 2022. Following attendance by the Chair at a meeting with the Cabinet Member and officers it had been agreed that a presentation focussed on the PPS would be included as part of forthcoming Planning Update Training which all Members were invited to attend. There were two opportunities to attend the virtual training sessions on the 22 November and 1 December.

The Chair referred to the table at paragraph 3.2 of the report, this had information about the schedule of Overview and Scrutiny Commission meetings. It was agreed that the meeting scheduled for 5 December 2022 would be cancelled and an additional meeting would be scheduled for 6 February 2023. Management Board would attend the meeting on 6 February which would be focussed on LGR matters.

(6.20 pm - 6.25 pm)

62/22 – FEEDBACK FROM OTHER COMMITTEES AND EXTERNAL BODIES:

Councillor Nigel Middlemass had attended the North Yorkshire County Council Scrutiny of Health Committee, the meeting had originally been scheduled for 9 September 2022 but was re-arranged and took place on 4 November 2022. Councillor Middlemass was not in attendance but had sent the following report from the meeting:

- Most of the meeting related to the structural change to an Integrated Care System. The overall aim was to have a more joined up approach to all health issues. However because this only came into effect in July 2022 the discussion was fairly general and included procedural information and issues that would have to be addressed to make it work. At the next meeting, to be held on 16 December, there would be more detailed consideration particularly focusing on primary care and GPs.

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- Staffing, which remained a focus, however North Yorkshire had a better ratio of doctors to population than most parts of the country. There was also increased training facilities for doctors and nurses despite a national trend the other way.
- Care Quality Commission reviews of hospitals and other facilities in North Yorkshire, where concerns were expressed these did not include facilities in the Harrogate area.
- The Scrutiny of Health Committee intended to start an investigation into support for people with autism.

It was confirmed that Councillor Tom Watson would attend the next meeting of the Scrutiny of Health Committee, to be held on 16 December 2022, as Councillor Nigel Middlemass was unable to attend.

(6.25 pm - 6.28 pm)