



This information is available free of charge in electronic, audio, Braille and large print versions, on request.

For assistance in understanding or reading this document or specific information about this Agenda or on the "Public Participation" initiative please call the Committee Team on 01629 761133 or email

[committee@derbyshiredales.gov.uk](mailto:committee@derbyshiredales.gov.uk)

## Scrutiny Committee

**Minutes of a Scrutiny Committee meeting held at 6.00 pm on Thursday, 7th March, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.**

### PRESENT

Councillor David Hughes - In the Chair

Councillors: Peter Slack, Nigel Norman Edwards-Walker, Gareth Gee, Laura Mellstrom, Roger Shelley, Nick Whitehead, Nick Wilton and Peter Dobbs

Lucy Harrison (Democratic Services Assistant), Claire Allen (Corporate Policy Officer) and Helen Mitchell (Director of Corporate and Customer Services (Monitoring Officer))

### Note:

*"Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council's Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document."*

### APOLOGIES

Apologies for absence were received from Councillor(s): Robert Archer

### 354/23 - PUBLIC PARTICIPATION

There was no public participation.

### 355/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

Following publication of the Agenda, minute 244/23 of the minutes of the previous meeting were updated to reflect the focuses of the review and it was noted what the outputs of this review would affect. It was further noted that North East Derbyshire were interested in contributing to the review given an ongoing issue in the Clay Cross Area.

The revised minutes were circulated at the meeting, these were then moved by Councillor Nick Wilton, seconded by Councillor Nick Whitehead and

## **RESOLVED**

That the revised minutes of the meeting of the Scrutiny Committee held on 06 December 2023 be approved as a correct record.

### **Voting**

**08 For**

**00 Against**

**01 Abstentions**

The Chair declared the motion **CARRIED**.

## **356/23 - INTERESTS**

There were no declarations of interest.

## **357/23 - PERFORMANCE MANAGEMENT - KEY PERFORMANCE INDICATORS OUTTURN Q3 2023/24**

The Corporate Policy Officer introduced a report summarising the outturn performance against the District Council's Key Performance Indicators for Quarter 3 (1st October to 31st December 2023). The report highlighted where services had performed strongly and where improvements could be made.

The District Council's Performance Management process is the means of measuring, monitoring and improving the Council's progress in achieving its targets. Targets included Corporate Plan targets and KPIs, as well as service-specific objectives which were detailed in Service Plans. Good performance and areas for improvement were identified through a quarterly reporting process.

Table 1 detailed performance against KPIs, with 11 being fully or partially achieved. The vast majority of KPIs were on track to meet their target, reflecting excellent performance. Table 2 summarised outruns for Q3 of 2023/24. Detailed updates for all quarters were provided in Appendix 1.

It was moved by Councillor Roger Shelley, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

1. The outturn performance against Q3 Key Performance Indicators for 2023/24 be noted.
2. That quarterly reports continue to be presented to Members of the Scrutiny Committee to highlight progress, demonstrate good performance, and address areas for improvement.

The Chair declared the motion **CARRIED**.

## **358/23 - PERFORMANCE MANAGEMENT DATA**

The Corporate Policy Officer introduced a report on the Key Performance Indicator review. It was noted that the Council published its performance against a series of 12 Key Performance Indicators, providing an assessment of its overall organisational health. The Office for Local Government (Oflog) had developed an online tool which brought together a selection of existing metrics across a range of service areas.

It was noted that a report on performance against the existing Key Performance Indicators had been presented to previous meetings of Scrutiny Committee in October and December 2023. At these meetings, Members of the Committee indicated that they wished to consider the extent of the existing Key Performance Indicators and whether they were fit for purpose going forwards. Members were concerned that the KPIs might be overly focussed on Planning and that there were opportunities to look at data from other services.

The Council's Project and Performance Management Officer Group had undertaken a review of the existing Key Performance Indicators. The existing Key Performance Indicators were assessed against each of the criteria set out in Paragraph 2.1 and 2.2. The outcomes of that review were set out in Appendix 3. In undertaking this review, consideration was given by the Officer Group as to the suitability of the list of possible Key Performance Indicators as suggested by Consultants Circling Squares as set out in Appendix 4.

It was moved by Councillor Nick Wilton, seconded by Councillor Gareth Gee and

**RESOLVED** (unanimously)

1. That the new suite of Key Performance Indicators, set out in Appendix 1, be adopted for quarterly reporting from 1 April 2024.
2. That an additional Key Performance Indicator on the length of time taken on enforcement actions in planning applications is considered.
3. That Officers produce candidate Key Performance Indicators for the specific areas that they are responsible for within the Corporate Plan for consideration at a future meeting of the Committee.

The Chair declared the motion **CARRIED**.

**359/23 - DRAFT TERMS OF REFERENCE - PUBLIC CONSULTATION AND ENGAGEMENT EXERCISE**

Councillor Roger Shelley introduced the draft terms of reference on the Public Consultation and Engagement Exercise. Its purpose to provide better public consultation, which was anticipated to lead to greater levels of confidence among residents that consultation was being reflected in good decision making. It was addressed that this topic was key due to the authority shortly embarking on its next stage of consultation on the Local Plan and Members addressed they wished to consider this at a future meeting of the Committee.

Members were informed that the Council had a consultation and engagement strategy which was approved in 2021 and was due to be reviewed in 2027. It was deemed that it would be important for the Committee to review this strategy and compare and contrast how it had been used as part of consultation so far and whether it had been successful. It was noted that all consultation needed to be proportionate to the scale of change being proposed and it was highlighted that a range of different methods should be used.

The current strategy was backed up by an action plan which ran on a two-year basis and was reported annually. It was noted that there was room for improvement in this and suggested that members may wish to review the action plan and its focuses.

It was moved by Councillor Nick Whitehead, seconded by Councillor Roger Shelley and

**RESOLVED** (unanimously)

1. That the Draft Terms of Reference on the Public Consultation and Engagement Exercise are noted.
2. That the Committee consider the approach for the next stage of consultation on the Local Plan at a future meeting.
3. That the action plan aligned to the Councils Communication and Engagement Strategy is reviewed at a future meeting.
4. That the lessons learnt from previous consultations such as Ashbourne Reborn and Ashbourne Air Quality Management Action Plan are assessed.

The Chair declared the motion **CARRIED**.

**360/23 - UPDATE - FLOODING SCRUTINY EXERCISE**

The Director of Corporate and Customer Services provided an update on the progress made regarding the organisation of the scrutiny exercise scheduled to investigate experiences of flooding within the Derbyshire Dales.

It was noted that the Council had not been able to progress this piece of work as quickly as it would have liked, but it was hoped that as the municipal year was drawing to a close there would be the capacity to progress this work forward at a greater pace. The flooding task group had been established, with Councillors Slack, Mellstrom, Murphy and Hughes nominated as Members. Already, through word of mouth, a series of submissions had been received and testimonies around flooding in the Matlock and Ashbourne areas had been given by Councillor Wilton, Linthwaite and Wain. As a result, a small evidence base had been compiled. It was noted that there were views that flooding in these areas were as a result of development and drainage issues.

Members considered briefing notes at the previous meeting of the Committee in respect of the roles and responsibilities of relevant organisations including Severn Trent, The Environment Agency and the Lead Local Flood Authority which was hosted by Derbyshire County Council. It was hoped that evidence gathering sessions could commence with these relevant stakeholders.

Members were informed that a meeting had taken place with the County Council and they were keen to be involved with this piece of work and noted that work was already ongoing into the lessons learnt from local flooding incidents. It was noted that interviews would be commencing in due course and a call for evidence to the public would be submitted. The aim was for an interim report with recommendations to be ready for the start of the next municipal year for Members of the Committee to consider.

It was moved by Councillor Peter Dobbs, seconded by Councillor Peter Slack and

**RESOLVED** (unanimously)

That the update on the Flooding Scrutiny Exercise is noted.

The Chair declared the motion **CARRIED**.

### **361/23 - UPDATE - FREEDOM OF INFORMATION REQUEST SCRUTINY**

The Director of Corporate and Customer Services provided Members with an update regarding the process for scrutiny of Freedom of Information requests.

The reason for this update was that as a public authority the Council was responsible to respond to Freedom of Information requests. A Freedom of Information request had recently been received for information that did not exist and thus nothing could be provided. Following this, a communication had been sent to some Members of the Committee by the individual who submitted the request, to address their displeasure that this information was not available. The Chair of the Committee requested this be brought to Members attention.

It was noted that the Council held a positive stance on sharing information that it held freely and did not often use some of the provisions it had to prevent information from being released into the public domain. A favourable audit report had been published recently on FOI's, in which the Council received reasonable assurance and the actions arising from this report related to being able to respond to requests quicker. It was noted that the Committee could look at FOI data on a more cumulative level in order to identify areas they may wish to look into at greater detail as part of the Committees work programme.

It was moved by Councillor David Hughes, seconded by Councillor Nick Wilton and

**RESOLVED** (unanimously)

1. That the update on the process for scrutiny of Freedom of Information requests be noted.
2. That Members comments in regard to informal meetings between Members and Officers and the need for proportionate note taking be noted.

The Chair declared the motion **CARRIED**.

### **362/23 - SCRUTINY COMMITTEE WORK PROGRAMME 2023/24 AND DRAFT WORK PROGRAMME 2024/25**

The Director of Corporate and Customer Services introduced the current Scrutiny Committee work programme for 2023/24 and the draft work programme for 2024/25.

Members were informed that the Councils Forward Plan of Decisions would be a standing item at future meetings. As a committee system authority, the Council was not obliged to create a forward plan but did so in order to demonstrate openness and transparency around future decision making. It was noted that this could support the Committee in identifying where it might want to get involved with some decisions and undertake pre-scrutiny prior to them being made.

It was noted that the first meeting of the next municipal year would heavily revolve around KPI's. The second meeting would focus on outturn performance against the District Council's KPI's for Quarter 4 and consultation. If the report on the Flooding exercise was not ready to be received at the first meeting, then it would be ready for the second. There was also potential for Q1 data on the outturn performance of the KPI's to be received.

Members noted that the scrutiny on staff retention and recruitment should be brought forward and it was noted that Section 106 monies and information systems would like to be scrutinised. It was noted that an interim meeting before the next committee could be held to rescope and discuss new ideas for the work programme.

It was moved by Councillor Nick Wilton, second by Councillor Peter Slack and

## **RESOLVED**

1. That the Forward Plan of decisions is included in future Agendas of the Committee.
2. An interim meeting be held on Teams after the AGM to discuss the programme for the year and receive updates on the progress of work taking place including the enhancement of staff retention and recruitment policies, the flooding project and an update on KPIs.

## **Voting**

**07 For**

**00 Against**

**01 Abstention**

The Chair declared the motion **CARRIED**.

19:59 – Councillor Gee left the meeting.

20:00 – Councillor Gee entered the meeting.

**Meeting Closed: 8.01 pm**

**Chair**