

**Minutes of the Corporate Scrutiny Committee
Thursday 17th September, 2020 at 6.00 pm
Microsoft Teams**

Present:

Councillor T Crumpton (Chair)
Councillor E Lawrence (Vice-Chair)
Councillors I Bevan, B Cotterill, J Cooper, S Craigie, P Drake, J Foster, B Gentle, S Greenaway and P Lee.

Officers:

H Martin - Director of Regeneration and Enterprise and J Lamine - Directorate Business Operations Manager (Directorate of Regeneration and Enterprise); J Branch - Head Of Human Resources and Organisational Development, A Paul - Corporate Operations Manager and C Blunn - Portfolio Partner (Chief Executive's Directorate); J Catley – Head of Customer Services (Directorate of Commercial and Customer Services); S Griffiths – Democratic Services Manager and K Taylor – Democratic Services Officer (All Directorate of Finance and Legal).

7 Apology for Absence

An apology for absence was received on behalf of Councillor C Barnett.

8 Appointment of Substitute Member

Councillor J Foster served as a substitute member for Councillor C Barnett for this meeting of the Committee.

9 Declarations of Interest

No member made a declaration of interest in accordance with the Members' Code of Conduct.

10 Minutes

Resolved

That the minutes of the meeting held on 1st July, 2020, be approved as a correct record and signed.

11 **Corporate Quarterly Performance Report 2020/21 - Quarter 1**

A report of the Chief Executive was submitted on the revisions to Corporate Performance Management including a review of Future Council 2030, and to propose a different approach to reviewing performance outcomes to the Committee, together with the Quarter 1 Corporate Quarterly Performance report covering the period 1st April, 2020 to 30th June, 2020 .

In presenting the report, the Corporate Operations Manager stated that it had been recognised that there was a need for greater governance on Performance Management in the Council. This had resulted in a staff restructure and a Performance Management Framework being developed to enable a consistent approach towards performance management and reporting processes across the Council. The Framework would be presented to a future Scrutiny Committee for review.

The Council Plan 2019/22 should map our journey to achieving the aspirations in the Future Council 2030 programme and the Forging a Future Borough Vision 2030, however it had been recognised by the Local Government Association (LGA) Peer Review and Internal Audit that greater synergy was needed between the visions and the Council Plan when revised in 2021 to enable priorities to be more outcome focused.

Reference was made to the Future Council 2030 programme, in particular that work would be undertaken to refine the programme into three main key themes, including Workforce, Technology and Facilities. A series of workshops would be arranged with officers and Members to review the aspirations and workstreams of the programme.

A Member welcomed the proposed changes and suggested that longer term trends should be considered in future reporting, and the potential impact on performance outcomes as a result of government policy.

In responding, the Corporate Operations Manager stated that benchmarking exercises to indicate how Dudley was performing in comparison to neighbouring local authorities and national figures would be explored and included in future reporting.

The Chair requested that regular updates on progress be provided to the Committee, and that it would be beneficial to understand the impact the performance indicators would have on staff that were responsible in delivering those targets together with their perspective on the revised process. The Corporate Operations Manager confirmed that engagement with staff was a key element in reshaping performance plans and long-term priorities for future council, and that feedback would be presented to the Committee as requested.

In presenting the quarter one performance report, the Portfolio Partner made particular reference to the eleven performance indicators that were below target, as outlined in Appendix 1 of the report submitted. Following comments made, consideration would be given to incorporating charts to outline overall trend data in future reports.

The Committee were informed that eight performance indicators that identified a worsening trend position was as a result of the restrictions imposed during the COVID-19 pandemic, which was also expected to impact future data. A detailed account was provided at the meeting and outlined in Appendix 2 of the report submitted.

With regard to PI.1798 Percentage of eligible people receiving a health check, it was confirmed that 0.45% health checks were undertaken, and although this would appear low, this had been a result of the restrictions imposed. Full and semi health checks were undertaken by General Practitioner's and an external provider, however the figures could not be incorporated.

The significant decrease of short and long term sickness absences across all Directorates in comparison to Quarter 1 in 2019 was positively referenced, in particular as the figures had historically been below target for a period of time. The Chair referred to the significant implications arising from COVID-19, and that areas such as support provided to looked after children during the peak should be reviewed.

Members asked questions, made comments and responses were given where appropriate as follows:-

- Following a request by a Member for benchmarking data against neighbouring authorities with regard to Performance Indicator. 432 Number of children looked after per 10,000 of the population, the Portfolio Partner undertook to forward the query to the appropriate officer for a response.
- It was suggested that numbers, in conjunction with percentages, should be incorporated in future reports as it would be more beneficial for Members.
- With regard to Performance Indicator. 2061 Identify and deliver procurement savings, a Member stated that the target set was unachievable at the current time due to COVID-19 and the increased spending needed for additional resources; an update position on the strategy moving forward and measures to update Members on procurement was requested. In responding, the Portfolio Partner undertook to forward the query to the appropriate officer for a response.



- A Member made reference to Performance Indicator. 1447 percentage of agency social workers, in particular that this was an ongoing issue which had previously been discussed at the Corporate Parenting Board and a suggestion was made to review Dudley's Career Pathway in order to attract social workers to work for Dudley Council, but that an update had not yet been reported. Members concurred with comments made in particular that the pay structure should be reviewed to reflect the demanding role.

The Corporate Operations Manager confirmed that a collective package to encourage people to work at Dudley Council was being considered and would seek an update as requested. It was also agreed that the points raised be shared with the Chair of Children's Services Scrutiny Committee for information.

- A Member referred to the number of issues raised by the Committee, which could have been considered by individual Scrutiny Committees, and whether a discussion was needed on how scrutiny was structured in future. In responding, the Chair stated that it had been agreed that the performance report be considered by this Committee to undertake scrutiny on a corporate level with a view to refer any issues of concern to the relevant Scrutiny Committee for further consideration, if needed. It had also been considered that agenda items should be reduced for individual Scrutiny Committees to enable detailed scrutiny.
- The need to re-evaluate performance indicators to consider value and whether they need to be expanded was mentioned. It was also suggested that a performance indicator could be included on local investment to procure services to protect employment post COVID-19. In responding, the Corporate Operations Manager referred to social value that was considered during bidding processes, and confirmed that he would discuss further with the Procurement Team to include information on future reporting.
- In responding to comments made, the Chair referred to the work undertaken previously at a Scrutiny Working Group focusing on Procurement, promoting opportunities to local businesses and Member involvement. Although the recommendations made had not been completed, this was due to the lockdown restrictions with COVID-19.

Prior to the meeting it was requested that specific focus be given to the performance indicator relating to customer complaints and clarification on the processes and procedures implemented for the Planning Service in respect of public consultation and work undertaken in the planning process. Relevant officers were in attendance to respond to questions asked by the Committee.

PI.47 % of Corporate Complaints given a full response within 20 working days

The Head of Customer Services stated that there had been a significant increase in the number of complaints responded within 20 working days, and compliments during Quarter 1. An internal audit on corporate customer feedback had identified a number of recommendations, including an in-depth analysis of stage 2 complaints, which were being implemented by departments and reported to Directorate meetings, together with learning outcomes. Service areas would be reminded to undertake route core analysis and build into future case management, and a review undertaken with regard to performance indicators.

The Chair stated that a robust process was needed and requested that an update be provided to a future meeting on improvements made with the possibility of incorporating feedback from employees and members of the public, both positive and negative, if possible.

At this juncture, the Corporate Operations Manager referred Members to a proposed template to be developed for service areas to complete in advance of the Committee and provide an overview of service delivery, performance against targets, learning from complaints received, best practice examples and key deliverables and achievements during the quarter. It was suggested that one service area be reviewed at each Committee.

Possible additional items for consideration by the Committee during the current and next municipal year were referred to, including Dudley Borough Vision outcomes, Future Council 2030 programme delivery and Equality and Diversity.

Following further discussion, it was agreed that a meeting be arranged between the Chair, Vice-Chair and relevant Officers to discuss the Annual Scrutiny Programme and the proposed approach to reviewing quarterly performance outturns and update the Committee accordingly.

Resolved

- (1) That the revisions to Corporate Performance Management for 2020/21 and proposals to review Future Council 2030 to ensure it is fit for purpose, be endorsed.
- (2) That the Corporate Operations Manager be requested to provide regular updates on progress made with regard to Corporate Performance Management.
- (3) That a meeting be arranged with the Chair, Vice-Chair and relevant officers to discuss the Annual Scrutiny Programme and the proposed approach to review quarterly performance outturns.
- (4) That the Quarter 1 Corporate Quarterly Performance report covering the period 1st April, 2020 to 30th June, 2020, be noted.

- (5) That the Portfolio Partner be requested to forward queries raised by the Committee to the appropriate officer for a response in respect of the following Performance Indicators:
- (1) PI.432 - Number of children looked after per 10,000 of the population.
 - (2) PI.2061 - Identify and deliver procurement savings.
- (6) That the Corporate Operations Manager be requested to provide an update in respect of the work undertaken on a Dudley Career Pathway in relation to social workers and share comments made by the Committee with the Chair of Children's Services Scrutiny Committee for information.
- (7) That a further update report be submitted to a future meeting of the Corporate Scrutiny Committee regarding the work undertaken in relation to Corporate Complaints.
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12 **Planning Services – Public Consultation**

A report of the Director of Regeneration and Enterprise was submitted on the processes and procedures in place for the Planning Service in respect of public consultation and involvement in the planning process.

The Director of Regeneration and Enterprise presented the report submitted which summarised extensive public consultation and interaction in order for Members to be informed of the various avenues of support and suitability of existing measures. Many of the functions undertaken by the service were statutory and regulated, including circulating consultation paperwork, logging and processing planning appeals and acting as the first line of response to all customers.

A set criteria was adhered to whilst determining planning applications, which outlined whether consultation was required and the process undertaken. As a minimum, Dudley would inform immediate neighbours and display site notices, and Members were informed of proposed planning applications that affected their ward on a weekly basis. An online alert system had been introduced for interested parties to register for notifications of developments in a defined geographical area.

Statistical data on the work undertaken between 1st April and 31st July, 2020 was outlined, which had predominately been undertaken remotely due to the national lockdown and subsequent working restrictions. During this period 32,064 customer consultations were circulated, which resulted in an approximate 2% response rate, together with 144 site notices printed and displayed.

It was noted that a ChatBot facility had been introduced to the Council's website to allow all users to ask questions either by typing or using voice activation systems such as Alexa and Cortana. This provided an opportunity to create additional time for officers and for customers to receive responses out of hours.

Reference was made to the role of Planning Officers in particular of the duty officer service provided and consideration and balancing of objections submitted on applications against national and local policies and guidance, in order to ensure a level of consistency and fairness. Advice was also provided to applicants in respect of informal pre-application submissions.

Applicants could appeal against refusal of an application to the Planning Inspectorate, which were predominately dismissed, however should an appeal be upheld, the Council would review the reasons for approval and adapt working practices if required.

It was confirmed that a large number of planning applications were approved which were driven by clear guidance, and officers would respond to complaints or queries following decisions where necessary. All cases were considered on an individual basis.

The Director of Regeneration and Enterprise stated that the Planning Support team had frequently hosted other authorities to look at Dudley's processes and procedures, which accounted for the excellent performance statistics which were among the best in the country.

Two consultations had been published on "Planning for the Future" and "Changes to current Planning System", which proposed measures that would have a significant impact on the planning process. The consultations predominately focussed on delivery, housing and fast track proposals, and that public consultation was expected to change significantly, therefore it was critical that Elected Members and the Public were involved in the early stages of plan making. In view of the radical changes, a comprehensive response was required.

Members asked questions, made comments and responses were given where appropriate as follows:-

- In responding to a number of questions raised by a Member, it was confirmed that site notices continued to be printed and displayed on lamp posts, and that Case Officers would consider the appropriate scale of consultation when reviewing applications. It was also stated that the 2% response rate to consultations was expected with applications that were not considered contentious.
- Reference was made to the potential significant financial impact to Dudley following the proposed removal of Section 106 agreements, in that Local Authorities would be required to borrow money to implement infrastructure prior to developments being completed and the money recouped.



- A Member commented positively on his experience with Planning Officers, and thanked the Director of Regeneration and Enterprise for the report submitted.
- Although recognising the legislation adopted for planning applications, some Members considered that further work was needed to strengthen relationships with local residents and provide support to those submitting objections in relation to controversial developments. An increase of building works was considered to add pressure on infrastructure and value on greenspaces.

In responding the Director of Regeneration and Enterprise acknowledged the comments made and assured the Committee that an action plan was being developed to include bespoke training for officers, engaging with residents and customers and structuring the Team and adapting the planning process to ensure that communities were engaged at the earliest opportunity. Further work would be undertaken with the Communications and Public Affairs Team to ensure that information was more accessible and feasible for users to engage.

- The frustration experienced by residents and Members when planning applications had been overturned by the Planning Inspectorate was acknowledged, however assurance was given that officers would defend the Council's decision and forward all comments raised to the Planning Inspectorate for consideration.
- The three minute time limit for registered speakers to convey their objections at Development Control Committee was also considered insufficient. The Director of Regeneration and Enterprise, although acknowledging the comments made, stated that the time limit could not be extended but gave assurances that residents views and concerns were incorporated into the report presented to the Committee.
- It was noted that all neighbour notifications were published on Council's website to provide opportunity to view support or objections submitted, and notifications would also be posted to properties by secure mail.

The Chair made reference to the suggested improvement of promoting member contact with the Planning Manager to address specific operational issues when they arise, in particular the benefits of engaging Ward Members at the earliest opportunity especially in respect of major developments. In responding, it was reported that Planning Officers would actively encourage developers to engage with local communities though this was not mandatory, however the Director of Regeneration and Enterprise undertook to take on board the comments and give consideration to the reintroduction of Ward Member involvement.

A discussion took place regarding the response to the consultation, and it was suggested that all Elected Members should be informed and invited to make comments accordingly. The Director of Regeneration and Enterprise agreed to discuss further with relevant officers.



Following a suggestion to the possibility of arranging a Working Group to improve engagement with communities and Ward Members, the Chair requested that further consideration be given to the most appropriate platform for deliberation.

Resolved

- (1) That the report submitted on Planning Services – Public Consultation, be noted and endorsed.
- (2) That the Director of Regeneration and Enterprise be requested to implement measures to enable Members to have the opportunity to respond to the two Government Consultations “Planning for the Future” and “Changes to current Planning System” prior to the deadline of 29th October, 2020.

13 **Annual Scrutiny Programme 2020/21**

The Committee considered a document prepared by the Chair regarding potential future items for inclusion on the Annual Scrutiny Programme 2020/21, which included detailed scrutiny of recruitment processes of senior members of staff, including advertisement and the work leading to final consideration by the Appointments Committee. The impact in the short and medium term to the Council's finances on lost revenue from empty retail units across the Borough was also suggested.

Following further discussion and agreement by the Committee, it was agreed that a meeting be arranged between the Chair, Vice-Chair and relevant Officers to discuss items to be included to the Annual Scrutiny Programme for the remainder of 2020/21.

Resolved

That a meeting be arranged with the Chair, Vice-Chair and relevant officers regarding items for inclusion on the Annual Scrutiny Programme 2020/21.

The meeting ended at 8.14pm

CHAIR