



**SCRUTINY
COMMITTEE**

Draft Annual Report 2021-22

Introduction and Background

The Council appointed the Scrutiny Committee in response to the Local Government Act 2000 in order to introduce greater democracy into the decision making process, and to ensure that those who made decisions were held accountable. The Committee performs the scrutiny function on behalf of the Council, in accordance with the guidelines contained in its Protocol and Terms of Reference (ToRs) as last confirmed at Annual Council in May 2022.

The Committee's remit is to contribute to improving Council services by holding decision makers to account to the ultimate benefit of the residents of the Borough. To achieve this aim the Committee may:

- Review and question Cabinet Members and Officers about decisions and performance;
- Scrutinise the performance of the Council in relation to its policy, objectives, performance targets and /or particular service areas;
- Make recommendations to the Cabinet and the General Assembly of the Council arising from the outcome of the scrutiny process.

Work carried out by the Scrutiny Committee complements the work undertaken by the Crime and Disorder (Overview & Scrutiny) Committee and the Policy Overview Committee, who's specific and separate remits are set out in detail in their respective Protocols. In compiling its work programme for the ensuing municipal year the Scrutiny Committee aims to avoid duplicating work being undertaken by those Committees.

The Committee's Protocol requires it to report to the Council annually on the work it has undertaken in the preceding municipal year. This annual report provides a summary of the Committee's work undertaken during the **2020-21** municipal cycle. Comprehensive details of the Committee's discussions in the period under review are contained in the minutes of its meetings published on the Council's public website.

WORK PROGRAMME REVIEW 2021-22

The Committee is responsible for compiling its own Work Programme for the ensuing municipal year and agreeing an initial Work Plan (WP) with proposed timings for each topic, to be reviewed at subsequent meetings in the cycle. New topics may be added to the WP in Committee, or on an ad-hoc basis by individual Political Groups, via the draw-down process set-out in the Committee's Protocol [attached as Appendix B to this report].

At its first meeting in the cycle on **13 July 2021** the Committee agreed an initial rolling Work Plan (WP) for the ensuing **2021-22** municipal year, to be reviewed and updated at subsequent meetings in the cycle.

Members also considered the extant Regulation 9 Notice (formerly the Forward Plan) at each meeting in the cycle to consider whether any should be drawn-down for scrutiny either prior to or after implementation In the event, no

APPENDIX A

Cabinet decisions were draw-down by the Committee in the period under review.

<p style="text-align: center;">Work Plan (WP) items and Draw-Down (DD) topics considered by Members in the 2021-22 Municipal Year</p>
--

A *summary* of WP items and DD topics considered by the Committee during the preceding **2021-22** municipal year is set out below in chronological order, with comprehensive details of Members' discussion contained in the published minutes on the Council website.

Committee Meeting held on 13 July 2021

Item 1: Draw-Down – Council Appointment to Ebbsfleet Garden City Board

The Chairman had drawn-down on behalf of the Labour and Co-operative Group for discussion by the Committee, Cabinet Min. No. 4 of 27 May 2021 for discussion, which, advised *inter-alia* of the appointment by Cabinet of Councillor D T Nicklen to the Board of the Ebbsfleet Garden City Trust (EGCT) to represent the Council on that external body. Prior to the commencement of debate, it was confirmed that neither Cllr. Nicklen nor any Cabinet Member present were conflicted.

Members were advised by the Leader of the Council that he had been approached informally by the Chief Executive of the Trust, together with the Leader of Gravesham Council, to nominate a Councillor to represent each District on the Board of the EGCT. The nomination had fallen to Cabinet to make as the Council's executive body, and Cllr. Nicklen had been chosen as an Ebbsfleet Ward Member and resident who had previously been proactive in monitoring the development of the Ebbsfleet Garden City project on behalf of local residents. His role as Council representative on the EGCT Board was to ensure strong management and efficient service delivery on behalf of Dartford residents.

Members resolved to note the appointment [Min. No. 8 refers].

Item 2: Draw-Down – Remote Council Meetings

The Committee resolved to note the contents of Cabinet Min. No. 10 of 27 May 2021, implement the Leader's proposal to establish a cross-party Members' Group to consider whether Council meetings could be held remotely in the future [as a local arrangement], and to receive a report back from the Group to that effect in due course [Min. No. 9 refers].

Item 3: Key Urgent Cabinet Decision under Standing Order 54(7) – Purchase of Land for Council Housing

APPENDIX A

Members considered a report and appendices from the Democratic Services Manager which informed the Committee of a key decision taken by Cabinet on 27 May 2021 under Standing Order 54(7) 'Grounds of Urgency', to enable the Council to submit a timely bid for the purchase of land in Dartford Town Centre for Council Housing. That urgency had precluded inclusion of the decision in the Regulation 9 Notice [Forward Plan] being considered by the Committee that evening. In the event the Council's bid was unsuccessful, but the details were required to be submitted to the next meeting of the Committee to comply with the provisions of SO 54(7).

Members resolved to note the report [Min. No. 10 refers].

Item 4: Work Plan - Orchard Theatre Annual Report & Accounts 2019-20

Under cover of a report from the Leisure & Communities Officer, the Committee considered the 2019-20 Annual Report & Accounts for The Orchard Theatre, submitted by the management company Orchard Theatre Dartford Limited. Members were advised that closure of The Orchard during the Pandemic had enabled significant planned refurbishment works to be undertaken including: an increase to capacity, new auditorium seating, new lighting and sound systems and improved access for wheelchair users.

The Committee resolved to note the report and accounts for the period under review, and congratulated the Theatre Director for the new expanded and creative format of the annual report, which successfully conveyed the 'magic of the theatre' [Min. No. 11 refers].

Item 5: Work Plan – Committee Annual Report for 2020-21

Members thanked the Committee Co-ordinator for his *draft* report which summarised the work undertaken by the Committee in the preceding **2020-21** municipal year, and resolved to forward it to the General Assembly of the Council for their information as submitted [Min. No. 12 refers].

Item 6: Committee Work Programme for 2021-22

Members agreed an initial Work Plan (WP) for the ensuing **2021-22** municipal year to be reviewed at subsequent meetings in the cycle, and were reminded by the Chairman of the importance of utilising the draw-down facility to scrutinise Cabinet decisions, in addition to receiving the standard annual reports from DFC for Princes Park, The Orchard Theatre Management Company and Dartford Cricket Club for their rental of the Cricket Pavilion in Darenth Park.

Committee Meeting held on 19 October 2021

Item 1: Princes Park Annual Update 2020-21 (WP)

Members considered the 2020-21 Annual Report on the use of facilities at Princes Park under the terms of the Service Level Agreement (SLA) between the Council and Dartford Football Club (DFC). The Leader of the Council attended proceedings in his capacity as a Director of DFC, not as a Councillor Member.

The Vice-Chairman commended the report from the Club to Members for approval as a comprehensive record of the activities being managed by DFC on behalf of the Council in the period under review. In particular, he noted the improvements that had been made to the golf facilities in the Park under the management of Mr Paul Page a golf professional. However, he proposed that future annual reports from the Club should include comparative year on year data, and a forecast of aims and objectives for the ensuing year.

The Leader of the Council addressed Members in his capacity as a Club Director, to highlight several notable footballing achievements by DFC in the period under review including:

- Dartford's flourishing Ladies team which was supported on an equal basis as the Men's team;
- The Club's special relationship with the Leigh Academy helped by close proximity and inter-linked sites which negated travel costs for pupils;
- The eligibility of all Dartford schools to benefit from Club training in Princes Park, with Primary schools catered for on a Saturday morning prior to match day fixtures in the afternoon;
- Under the auspices of SCL a full-time education and football development programme was provided for 50 students aged 16-18 years old, in addition to the Club's Academy and pre-Academy training for 7-16 year olds.

Members were advised by Officers that the Council continued to pay the Club £90K p.a. to provide all sports facilities in the Park under the terms of the existing SLA until 31 March 2022, after which the agreement would be subject to annual review.

The Vice-Chairman, supported by several Members, noted the vital role the facilities at Princes Park had played in the Council's response to the Pandemic as both a COVID vaccination centre and regional base for the St. John's ambulance service

Members resolved to note the report and Appendix A [Min. No. 21 refers].

APPENDIX A

Item 2: Dartford Cricket Club in Hesketh Park – 2020-21 Update [WP]

The Committee considered a report from the Leisure & Communities Officer (LCO) which updated Members on the rental of the Council's Pavilion in Hesketh Park by Dartford Cricket Club Ltd, as set out in the Club's Community Use Information leaflet dated October 2021 [Appendix A to the report]. Mr Harry Bright, Club Chairman, attended the proceedings to respond to Members' questions.

The LCO confirmed that the Club paid the Council rent for its use of the Pavilion building in Hesketh Park under a 25 year lease rental agreement, which was *not* subject to a Service Level Agreement (SLA) and as a consequence, the Club was not obliged to specify specific aims or objectives during its tenancy of the property. But as the tenant of a property that had benefited from significant Council investment, the Club were invited to submit a short annual review of its activities and links with the Dartford community for the Committee's information.

The Club Chairman, Mr Bright, informed the Committee that due to the Pandemic, Dartford Cricket Club had been in almost continuous lock-down in the period under review. The Government's Furlough Scheme had enabled the Club to retain some staff and more games had been played in 2021 than during the entirety of the Pandemic. The Club's Junior team had flourished and the Senior team promoted, coaching had been retained for the 5-8 and 8-11 age groups and the Club had hosted the local Quantum Games in the Park. However, the Club's requirement to maintain the Outfield playing surface in Hesketh Park [under the terms of the rental agreement], had been a major financial burden during the Pandemic. The Outfield in particular had been subjected to vastly increased levels of foot-fall as the public sought a respite from lock-down, and the Park as a whole had suffered from an infestation of Leather Jacket beetles and increased dog and fox activity, all of which had severely impacted on the condition of the Outfield at the Club's expense. The Club was aiming to establish a fiscal reserve in the coming months to finance much needed repairs including to the Pavilion façade.

Members resolved to note the report and Appendix A [Min. No. 22 refers].

Item 3: 2021-22 Work Plan Review

Members resolved to add a report from Darent Valley Rugby Club to the 2022-23 Work Plan following completion of the extant 2021-22 playing season. An update from the Head of Planning Services was also agreed, once her Local Impact Report (LIR) on the London Resort Development Consent Order had been received by Cabinet [postponed to March 2022].

Members resolved to note the report [Min. No. 23 refers].

Committee Meeting scheduled for 18 January 2022

In the event, this meeting was cancelled due to a lack of substantive business for Members to consider.

Committee Meeting held on 12 April 2022

Item 1 Draw-Down – Urbaser Update

The Committee received a verbal update from the Waste & Parks Manager (WPM), in response to a draw-down request submitted by the Labour & Co-operative Group, which had expressed concern over the performance of the Council's waste and recycling contractor Urbaser.

Members were informed by the WPM that the Council's contract with Urbaser was in its third year. The initial year of operation (in pre-COVID times), had achieved satisfactory outcomes across the range of contracted services. The latter two years (during the Pandemic and Government lock-down), had presented Urbaser with significant challenges which, on the whole, the company had met including; a sector wide shortage of HGV drivers and fuel shortages, exacerbated by a concerted campaign by Climate Change protesters to block the M25 including exits and access roads around the Borough.

From February 2020 Urbaser had increased its use of agency staff to cover collection crew absences due to COVID, instituted an HGV driver recruitment and training scheme, and introduced pay awards to help retain staff. These additional measures had enabled Urbaser to complete 95% of its scheduled collections on time and 99.9% of its contracted workload across all services, and represented a good performance set against the background of the Pandemic.

In response to subsequent questions and expressions of concern from Swanscombe and Greenhithe Ward Members, the WPM confirmed the following key points for the Committee:

- Waste and recycling collections were *not* undertaken on a Ward basis, but by specified routes on designated days;
- No collections were 'missed' as such, but were subject to delay and could be rescheduled to the next available day;
- Collection of garden waste had been subject to delays, but the backlog was being actively addressed with a new vehicle purchase;
- Glass was recycled separately by Urbaser, at site if necessary in the event of a malfunctioning vehicle, Urbaser staff were also responsible for cleaning-up any spillage in the street environment during collection;
- Where Urbaser vehicles were denied access due to poor parking of other vehicles [Swanscombe in particular suffered from this], Urbaser were obliged to return on the next available day;
- A planned update to the Council's 'Whitespace' software system would enable Urbaser crews to analyse the frequency of such incidents in the future and take appropriate action;
- All Members and residents should email the Council with their complaints rather than take to Facebook or other social media outlets.

APPENDIX A

All complaints received by the Council were acknowledged by the WPM and his team daily, and fed into the 'Whitespace' software system for analysis and action as appropriate.

The Leader of the Council in attendance as the Chairman of Cabinet supported the WPM in his positive appraisal of Urbaser's performance throughout the 2 year period of the Pandemic.

Members thanked the Waste & Parks Manager for updating the Committee and responding to Members' questions [Min. No. 30 refers].

Item 2 Draw-Down – Update on Council's Equality Report

Members received an initial verbal update from the Community Manager in response to the draw-down from the Labour & Co-operative Group. He advised the Committee that the Council's initial efforts to gauge the level and depth of inequality amongst Borough residents had been conducted via a series of health questionnaires posted out via the Dartford Healthy Living Centre. That exercise had been repeated on three separate occasions with no meaningful response. The restrictions imposed by the Pandemic allied to Government lockdown measures had made it impossible to obtain the necessary face-to-face contact with residents to effectively gauge their responses (including via body language), and identify need amongst groups with protected characteristics such as the elderly and those from a black or minority ethnic background (BAME). Unfortunately, these were the same groups most impacted by COVID and consequently the hardest to reach on a one-to-one basis.

In an effort to progress matters the Council had contacted Greenwich University to discuss an alternative approach to identify those in most need. The University had proposed an in-depth study to assess the universally identified 9 (nine) groups in society with protected characteristics and had submitted bids to undertake that work ranging from £30K-£70K which Officers continued to assess.

The Leader of the Council advised the Committee that he had appointed Cllr. Oliver as Lead Member for Equalities, Cohesion and Society to take matters forward as his representative on a cross-party Leader's Focus Group, with input from the recently appointed Director of Growth & Community who had extensive experience in the field.

His view was that further work was required by Officers and Members in consultation with residents and their focus groups, to identify specific need in the Borough as a whole, not just those groups with protected characteristics, which a costly academic study alone could not wholly address.

The Lead Member confirmed the Council's direction of travel as outlined by the Leader and senior Officers, and emphasised the importance of a review of current service delivery based on an informed re-assessment of resident need across the whole Dartford demographic, not solely of groups with protected characteristics. Matters would be progressed initially via the Leader's Focus Group with a cross-party membership, with in-depth consultations undertaken

APPENDIX A

by sub-groups of Members and Officers to identify and address specific areas of need and inequality.

Members thanked the Community Manager and the Director of Growth & Development for their verbal updates, the Leader of the Council for his proposals, and the Lead Member for taking those proposals forward via the cross-party Leader's Focus Group, which would report back to the Committee on progress in due course [Min. No. 31 refers].

David Hook
Committees Coordinator
Democratic Services Section

June 2022