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## **OVERVIEW & SCRUTINY PANEL ANNUAL REPORT TO COUNCIL 2014/15**

To: **Overview & Scrutiny Panel – 26 March 2015**

By: **Cllr Gideon, Chairman of the Overview & Scrutiny Panel**

Classification: **Unrestricted**

Ward: **Thanet Wide**

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**Summary:** **This agenda item allows the Chairman of the Overview and Scrutiny Panel to outline the achievements of the Panel covering the period 2014/15 and agree a report to Council, which would note any suggestions made by the Panel on possible work programme items for 2015/16.**

### **For Decision**

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#### **1.0 Introduction and Background**

- 1.1 Thanet District Council's Overview & Scrutiny Panel is entitled to make an annual report to the Annual Meeting of Council. This report summarises the key achievements of the Overview & Scrutiny Panel during 2014/15 and indicates the Panels' suggested priorities for 2015/16.
- 1.2 The Panel unanimously agreed at the beginning of the 2014/15 to disregard political proportionality when setting out the membership of the working parties/task & finish groups. The report will demonstrate the significant contributions made by the scrutiny process to effective decision making by Thanet District Council.
- 1.3 Members may wish to note that Full Council agreed at the meeting on 2 October 2014 that 'at each of its ordinary meetings, Council will receive a written report introduced by the Chairman of the Overview and Scrutiny Panel on the work undertaken by the Overview and Scrutiny Panel since the last Council meeting. Such a report will be subject to comment or debate in the usual way.'
- 1.4 Since then the Chairman of the Panel has presented regular reports on the scrutiny activities being undertaken. Subsequent sections of the report provide some highlights of the scrutiny activities for 2014/15.

#### **2.0 Community Safety Partnership Working Party**

- 2.1 The working party performed the statutory scrutiny function of the Community Safety Partnership on behalf of the Panel and reports back any recommendations for consideration to the main Panel.
- 2.2 The sub-group continued to monitor, through update reports at each meeting, the implementation of the current Community Safety Plan for Thanet. One of the highlights of the sub-group's work activities was receiving a presentation

from the Kent Fire and Rescue service on the work of the Road Safety Partnership. Members were advised that highway engineering works carried out over the years had eradicated 90% of accident black spots, and that there were a number of initiatives currently in place to increase road safety awareness, particularly working with school children.

- 2.3 Members were also advised that key changes were being made to how the Probation Services worked with the establishment of two services, the National Probation Service (NPS) which focused on high risk cases, and the Community Rehabilitation Centre (CRC) which worked with low to medium risk cases for offenders who demonstrated a degree of co-operation.
- 2.4 The Offender Rehabilitation Act which enables these changes came into force in February 2015. The Act requires that anyone who spent time in custody would be supervised for a year. The intention was to reduce re-offending as research suggested that re-offending rates halved when individuals were supervised. Such changes would enhance safer neighbourhoods for Thanet residents.
- 2.5 The sub-group considered and recommended to the Panel, the draft Community Safety Plan for 2015/16. The Panel would consider the draft Plan at the 26 March meeting, before making recommendations to Cabinet.

#### **2.6 Working Party Recommendation to the Panel**

- 2.7 Members recommend that the working party be reconstituted in 2015/16.

### **3.0 Corporate Performance Review Working Party**

- 3.1 The Panel delegated some power to the working party to comment on the corporate performance report and offer recommendations directly to Cabinet. The sub-group met on 29 January 2015 under the new terms of reference referred to earlier and made significant observations which included additional information required for inclusion to the corporate performance report.
- 3.2 The sub-group considered a report on the Improvement Plan that was drawn up for the Improvement Board to monitor corporate performance by TDC. Members noted the various activities including Member Induction training that has been planned for post the May 2015 Elections.
- 3.3 The working party invited the Chairman of the Improvement Board to be in attendance at the next meeting of the sub-group to engage Members in discussion on the progress towards performance improvement by the Council. The Board Chairman made a presentation to the sub-group meeting on 9 March 2015 and responded to a number of queries from Members. The Board Chairman reported that Peer Members were satisfied with the progress made by Thanet District Council towards addressing the corporate governance issues that had been raised in the Peer Review Report.
- 3.4 The sub-group acknowledged the feedback from the (Peer Review) Improvement Board. This included implementing an effective Communication Strategy to evidence the improved service delivery and enhance the reputation of the Council.

3.5 The sub-group was advised by the newly appointed Director of EK Services that Shared Services was on target to make the 25% savings by end of 2015/16; in line with the original targets set at the inception of the partnership. The partner Councils have been handed back money at the end of each year from some of the savings realised. Members were informed about service performance and emerging thoughts about the future of Shared Services in view of the new five year agreement that was approved in February 2015.

### **3.6 Working Party Recommendation to the Panel**

3.7 Members recommend that the working party be reconstituted in 2015/16.

### **4.0 Electoral Registration Process Review Task & Finish Group**

4.1 The sub-group continued to maintain a watching brief for most of 2014/15. As the May 2015 General Election day draws closer, the demands placed upon the Elections Team have been steadily increasing. Preparatory work that includes recruitment of count and polling station staff, cross boundary working with neighbouring Councils dealing with the new complex IER requirements that have to be fulfilled ahead of the elections which are adding to the pressures on officer time. There Electoral Services Team has also seen staff changes to one of its key posts.

4.2 These challenges are further increased by the fact that there are three different elections taking place on this same day. This has meant that it has not been possible to convene a meeting of the Working Party in during this municipal year.

### **4.3 Task & Finish Group Recommendations to the Panel**

4.4 That the task & finish group be reconstituted in 2015/16 to review the second year of Individual Electoral registration, and the first "full" canvass under IER (noting that the 2014 canvass related only no void properties and people that had not responded to the previous canvass).

### **5.0 Members Planning Protocol Task & Finish Group**

5.1 The sub-group met once and made some useful suggestions that included the following, that:

- a) The district Planning Committee Chairman to announce just before planning applications are considered at meetings that although the comments received from interested groups, including parish and town councils, would be taken into consideration, those comments would not be pre-determinative, nor would they in any way fetter the discretion of the committee;
- b) An opportunity to be offered to parish and town councillors to receive "soft touch" training on planning principles.
- c) Training be provided for district councillors to clarify how they can avoid giving the impression at town or parish meetings that their minds are "closed" in relation to a planning application;

d) Legal and Planning officers produce a report encompassing all the suggestions highlighted above.

5.2 The sub-group was still to receive an officer report that will help members make recommendations to the Panel for onward submission to the Planning Committee.

### **5.3 Task & Finish Group Recommendations to the Panel**

5.4 Members recommend that the task & finish group be reconstituted in 2015/16 to produce the one-off report suggested above.

### **6.0 QEQM Hospital A & E Review Task & Finish Group**

6.1 The sub-group was set-up by the Panel as a result of a referral of a petition to the Panel by Council on 5 December 2013. The prayer of the petition was 'We the undersigned protest against changes to emergency services at QEQM A&E department.' The group has found it difficult to persuade the key stakeholders (i.e., external agencies) to agree to take part in the review work, possibly as a result of the statutory power of health scrutiny residing with the County Council.

### **6.2 Task & Finish Group Recommendations to the Panel**

6.3 Members recommend that the Chairman of the Panel reports back to Full Council the difficulties faced by Members in getting cooperation from the relevant external agencies in carrying forward the request of the petition that was referred to the Panel for investigation and seek the consent of Full Council to refer the key questions of the petition to Kent County Council's Health Scrutiny Committee.

### **7.0 TDC Artefacts Management Review Task & Finish Group**

7.1 The group received a progress update from officers regarding the Council's application for Heritage Lottery Funding (HLF). At the sub-group meeting on 4 February 2015, Members were advised that feedback from HLF was supportive of the application which focused on the museum space.

7.2 The sub-group hoped to get support from the executive before the end of the current Municipal Year; to resolve the issue of funding for the recruitment of a professional archivist to support to work of the documentation project for the Margate Museum artefacts. However at the time of drafting this report, the sub-group had not received the anticipated commitment.

### **7.3 Task & Finish Group Recommendations to the Panel**

7.4 Members recommended that the task and finish group be reconstituted in 2015/16 to continue with the work as per the current terms of reference.

## **8.0 Call-In of Cabinet Decisions**

- 8.1 The Panel made five call-ins in 2014/15 of the following Cabinet decisions:
- a. Petition to Council - Margate Harbour;
  - b. Thanet Markets: Margate Weekly General Market;
  - c. Ramsgate Maritime Plan;
  - d. Manston Airport Royal;
  - e. Sands Development.
- 8.2 Panel Members agreed to take no further action regarding the Cabinet decisions on the first three issues above. However, regarding the Manston Airport issue relating to whether Council should pursue a 'Compulsory Purchase Order generated a lot of debate within Council and in the local media. The Panel asked Cabinet to reconsider its decision and take into account the following recommendations:
- a. That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right;
  - b. That this decision be reviewed by Cabinet on receipt of any new information from the Minister of Transport.
- 8.3 In response Cabinet agreed the following:
- a. That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right;
  - b. That this decision be reviewed by Cabinet on receipt of any new information from the Minister of Transport.
- 8.4 The debate also drew the attention of Government who offered to consider the matter. Council was still awaiting feedback from the Minister of Transport regarding the information submitted by the TDC executive.
- 8.5 In response to the recommendation from the Panel after a call-in of the Royal Sands that 'Cabinet instructs officers to negotiate with Cardy to obtain the best consideration for Council in relation to the Royal Sands Development;' Cabinet Authorised the project team (in consultation with the S151 Monitoring Officer, Head of Paid Service and Cabinet Member for Finance and Estates) to progress with negotiations involving variations to the existing agreement (or a new agreement as provided for within the existing contract) in respect of Royal Sands.
- 8.6 These negotiations were to be undertaken in accordance with existing delegations and within the parameters as detailed in the report that went to Cabinet on 16 October 2014; with the proviso that best consideration was achieved in the process.

- 8.7 Cabinet also agreed that if further information becomes available during these negotiations that would result in there being a significant negative effect on the consideration owed, particularly as a result of the cliff wall surveys, then the matter should be brought back to Cabinet for further strategic review.

## **9.0 Post Hoc/Post Decision Scrutiny of Cabinet Decisions**

- 9.1 The Overview & Scrutiny Panel undertook a post decision review of a Cabinet decision on the 'Vattenfall Community Funding Project.' The review was the result of the concerns expressed by some Members regarding the decision making process used to make the final allocation of the community funding.
- 9.2 There was an exchange of views between the lead Cabinet Member on the issue and the Panel. The outcome of the debate was the recommendation to Cabinet that; 'a protocol for the allocation and monitoring of non-ring-fenced grants and gifts be developed and presented to the Overview & Scrutiny Panel within the next three months.' Officers redrafted the 'External Funding and Grants Protocol' to include governance provisions as to how community grants could best be managed by the Council. The issue is reported elsewhere on the agenda and it is anticipated that the proposed additions to the Protocol will be presented to the Governance & Audit Committee for adoption.

## **10.0 Cabinet Presentations at OSP Meetings**

- 10.1 The Leader advised Members at the Panel meeting on 13 January 2015 that the Royal Sands mediation was still on-going and that a Members' Briefing would be held in February to provide updates on Dreamland. Funding for the cliff wall survey had been received by Council and the Royal Pavillion agreement had been signed by Council and Wetherspoons.

## **11.0 Corporate Implications**

### **11.1 Financial and VAT**

- 11.1.1 There are no financial implications arising directly from this report.

### **11.2 Legal**

- 11.2.1 There are no significant legal implications arising directly from this report. A presentation of the OSP Chairman's report to Full Council enables the Chairman to fulfil their duty as is required by the Council's Constitution.

### **11.3 Equity and Equalities**

- 11.3.1 There are no equity and equalities implications arising directly from this report.

## 12.0 Recommendations

Members are requested to agree the following recommendations:

- 12.1 To maintain a watching brief on the issue regarding the Royal Sands negotiation between Council and Cardy;
- 12.2 To recommend to the incoming Overview and Scrutiny Panel in 2015/16; the reconstitution of the following sub-groups;
  - a. Community Safety Partnership Working Party;
  - b. Corporate Performance Review Working Party;
  - c. Electoral Registration Process Review Task & Finish Group;
  - d. Members Planning Protocol Review Task & Finish Group;
  - e. TDC Artefacts Management Review Task & Finish Group;
- 12.3 To report back to Full Council the difficulties faced by the Panel in getting cooperation from the relevant external agencies in carrying forward the request of the petition and seek the consent of Full Council to refer the key questions of the petition to Kent County Council's Health Scrutiny Committee;
- 12.4 To agree that the Chairman presents the Annual Report to the next scheduled Full Council meeting.

## 13.0 Decision Making Process

- 13.1 The Council Constitution allows the Chairman of the Overview & Scrutiny Panel to present a report at the end of Each Municipal Year detailing a summary of scrutiny work undertaken by the Panel and its sub-groups for Members' information.

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## Annex List

Annex 1	Questionnaire used to for sourcing additional Member views
Annex 2	Terms of Reference for TFGs/Working Parties – 2014/15

## Background Papers

Title	Details of where to access copy
None	N/A

## Corporate Consultation Undertaken

Finance	N/A
Legal	N/A