

REVIEWING THE OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2019/20

Overview & Scrutiny Panel	22 October 2019
Report Author	Senior Democratic Services Officer
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

This report sets out a framework for activities of the Overview & Scrutiny Panel for 2019/20 and asks the Panel to review the work programme.

Recommendations:

1. Members' comments are sought and Members are requested to note the report.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications which would need to be managed within existing resources, or alternatively compensating savings found.
Legal	The role of scrutiny is set out in section 9F of the Local Government Act 2000. The council must also have regard to the statutory guidance on Overview and Scrutiny from the ministry of Housing, Communities and Local Government when exercising its functions.
Corporate	<p>The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.</p> <p>The sub-committees assist the work of scrutiny as they would carry-out an in-depth study of any issue referred to the groups under their terms of reference. An active Scrutiny programme is part of good governance.</p>
Equality Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p>

	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.		
It is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration has been given to the equalities impact that may be brought upon communities by the decisions made by Council.		

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	✓

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	✓
Supporting the Workforce	
Promoting open communications	✓

1.0 Introduction and Background

1.1 This report allows the Panel to review and amend the work programme for the 2019/20 municipal year agreed at the meeting on 27 August 2019.

1.2 It is worth noting that the newly issued statutory guidance of the scrutiny function says, effective overview and scrutiny should:

- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services

1.3 With this in mind Members may wish to ensure that the Panel work programme for the year provides opportunities for critical but constructive challenge to the Executive, articulate any concerns about matters that are the business of the council and strive for improved service delivery by the Council and other public agencies working in Thanet.

2.0 Current Scrutiny Activities, including Cabinet Member Presentations

2.1 The Panel through the Chairman called in a cabinet decision on the "Proposal for the disposal of the Dreamland freehold" and had an extraordinary meeting on 15 August to consider the call-in.

2.2 The Cabinet decision was that "Subject to agreement of external funders regarding the removal of ongoing grant obligations upon the council, and subject to legal advice, to dispose of Dreamland to Sands Heritage Ltd including the boundary as indicated in Annex 1, all rides listed in Annex 2 and the intellectual property rights of Dreamland."

- 2.3 The reason for the call-in “the need to identify the range of options considered”. Specifically the Panel sought clarification on why Cabinet took the decision to dispose of the asset now, rather than retaining it.
- 2.4 The Leader of Council engaged the Panel to explain the view considered by Cabinet in arriving at this disposal decision. After some detailed discussion, the Panel forwarded the following recommendations to Cabinet:
1. That Cabinet seeks three independent valuations for the Dreamland site before an agreement is reached with a buyer; and
 2. During the negotiations with the proposed developer, Cabinet requests an 18 year housing development restriction in the agreement instead of the proposed 10 years.
- 2.5 In response to Overview & Scrutiny Panel recommendations, Cabinet also met for an extraordinary session on 01 September and considered those recommendations and reviewed their decision with the final decision as detailed below, that:
1. To authorise another market valuation of the Dreamland site in order to ensure that sufficient breadth of comparable evidence is considered for the sale. Both valuations to be used to demonstrate that best value is obtained; and
 2. To retain the proposed 10 year housing development restriction on the Dreamland site as agreed by Cabinet on 01 August 2019. Delegated officers to continue the negotiations to explore the suggested extension fully as part of the sale process.
- 2.6 Members also conducted a pre-decision review of the proposed ‘Corporate Statement for 2019-2023’ before Cabinet took a final look on 19 September in time to seek Full Council approval on 10 October. The Panel made a number of recommendations as follows:
1. That Cabinet sets up a Member working group to review proposed detailed plans for implementing the vision in the Corporate Statement for 2019-2023;
 2. To add the wording “for the wider benefit of the town and district,” to the statement on the Port of Ramsgate and the Royal Harbour (under Growth);
 3. To add the wording “work to be carbon neutral by 2030” to the statement under the Environment;
 4. That the wording that “further improve the efficiency of emptying schedules including the maximising of smart bins” be added to the statement on Environment in relation to waste collection;
 5. To add the wording “improve collaboration with KCC to explore opportunities for introducing a park and ride scheme in Thanet” to statements under the Environment;
 6. To add the wording “including additional social housing” to the statement on work to prevent homelessness (under the section on Communities);
 7. To add the wording ‘the council’s intention to take back management’ “subject to following procedures the council takes back direct control of its housing stock (under the section on Communities);

8. Agreed to add the wording “work with the Boundaries Commission to ensure that the number of councillors is appropriate to the council's size and needs”;
 9. To add the wording “high quality housing and energy efficiency to meet the needs” to the statement on housing.
- 2.7 In response, Cabinet agreed all the recommendations as proposed by the Overview and Scrutiny Panel. Cabinet further agreed to make reference to the Preston Model in the new Corporate Statement proposals for consideration by Full Council on 10 October 2019.
- 2.8 The Panel also considered a call-in of the decision on the “Port and Harbour Projects - Variation to 2019/20 Capital Programme” made by the Leader of Council at the ordinary August meeting. Members sought clarification on the legal advice used by the individual cabinet member to make the decision. The decision made was “To approve the capital project to deliver the Commercial Berth in the Eastern Gully of the Royal Harbour and realign the existing 2019/20 budget for berth 4/5 as described in the report.”
- 2.9 The Panel recommended that the implementation of the decision to vary the budget be kept in abeyance for 10 days during which time Members of the Panel were given access to view the written external legal advice used as the basis for making the decision to purchase the two pontoons. The Leader agreed to the request.
- 2.10 The Panel received a further update from the Chairman of the Travellers Review Group. The review group considered the potential sites that could be designated as temporary encampments for the travellers community. Members had invited hey indicated that they had received invaluable information from officers on the nature of the problem affecting Thanet and hoped to use this information to come up with realistic recommendations. They highlighted the following:
- The review group identified a number of proposed sites for consideration as proposed temporary campsites for travellers;
 - the sub group would be meeting with the travellers community representatives at their next meeting, to get their view on this subject, before drafting a report for submission to the Panel.
- 2.11 The Scrutiny Review Group met on 02 October and they were expected to make a final report back to the Panel in November. The Chairman would be giving an update to the Panel.

Cabinet Presentations at OSP Meetings for 2019/20

- 2.12 Additional topics for Cabinet Member presentations at Scrutiny meetings are highlighted below. These include the following:
1. Review proposals for the fees and Charges (22 October 2019);
 2. Service review of the Corporate Governance and Coastal Development service area (19 November 2019 TBC);
 3. Service review of Operational Services (20 February 2019 TBC).
- 2.13 The rest of the work programme for 2019/20 is detailed in Annex 1 to the Council report. This schedule is subject to amendments during the course of the year as Members may add more items for reviewing. Annex 2 has been added to over Members an opportunity to review and keep track of the spread of the scrutiny review work.

3.0 Panel Recommendations to Cabinet - Implementation Monitoring

Fees and Charges review

- 3.1 The seven member fees and charges cabinet advisory group would meet for their first meeting in October, ahead of the Panel and Cabinet meetings to consider the fees and charges for 2020/21. Their work would kick start the review of fees and charges for 2020/21. The terms of reference for the cabinet advisory group were confirmed through a decision notice published in September.

Proposal for the disposal of the Dreamland freehold

- 3.2 Cabinet agreed to negotiate with Sands Heritage Ltd for a housing restriction period of more than 10 years to be part of the agreement of sale.
- 3.3 At the July meeting, the Panel considered a report on the "Adoption of a new Housing Assistance Policy" and recommended to Cabinet that Council writes to Kent County Council requesting that "KCC ring fenced the £405k (Top sliced/payment to KCC projected for 2019/20) for use by Thanet residents".
- 3.4 Cabinet agreed to forward the request to KCC and a letter had since been forward to KCC by the Cabinet Member for Housing and Safer Neighbourhoods.

5.0 Options

- 5.1 Members are asked to comment and note the report.
- 5.2 Members can review the current work programme and make changes depending on the collective agreement by the Panel.

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Annex List

Annex 1	Overview & Scrutiny Panel Work Programme for 2019/20
Annex 2	OSP Pre and Post Decision Reviews conducted in 2019/20

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Chris Blundell, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance & Monitoring Officer