

REVIEWING THE OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2020/21

Overview & Scrutiny Panel	27 August 2020
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 2020/21 and asks the Panel to review the work programme.

Recommendations:

1. Members are requested to comment and note the report
2. With reference to the prioritisation of scrutiny review projects; Members are being requested to confirm the scoring as set out in the matrix in Annex 2 to the Panel 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	The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation. 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.
Equality Act 2010 & Public Sector Equality Duty	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 the 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

	<p>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>								
	<table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table>	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.	
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	<p>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.</p> <p>It was 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.</p>								

CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 This report allows the Panel to review and amend the work programme for the 2020/21 municipal year agreed at the meeting on 21 July 2020. Due to the ongoing national health emergency caused by COVID-19, Council meetings continue to be conducted through the virtual facility.
- 1.2 As the Annual Council meeting has been deferred, it technically means that means that the 2019/20 work programme will continue until such time as the council committees are reconstituted at the annual meeting. However for ease of reference Democratic Services will refer to work scheduled to be carried out in 2020/21 as the 2020/21 work programme.
- 1.3 The current statutory guidance for 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

- 1.4 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

Scrutiny Topics

- 2.1 At the July meeting, the Panel received the list of potential scrutiny topics and agreed that these were going to be prioritised using the matrix that was established and agreed upon by Members. Further discussion still needs to be had to fine tune the topics by identifying the specific problem that Members would like to investigate and the outcomes they would like to achieve as a result of these investigations.
- 2.2 The Panel also agreed to add a topic on the reviewing the proposed considerations for establishing the criteria for reviewing memorial plaques and monuments in the district. Priority would be given to this topic in order to expedite the review process and contribute to the establishment of the policy by Cabinet.
- 2.3 The topics that Members brought up for possible consideration by the Panel are detailed below and are listed in no specific priority order:
- a. **Private rented sector:** How does TDC regulate private landlords and letting agencies in Thanet?
 - b. **Empty Properties:** Why does Thanet have the highest number of empty properties in Kent and what approaches can be used to put these properties to use in a timely manner?
 - c. **Planning enforcement in the district is slow:** Why is the planning enforcement process seemingly so slow in Thanet and how can it be made more efficient?
 - d. **Coastal waste clearance:** How does Thanet ensure that its coastal promenades and beaches are kept clear of rubbish and in the best condition for both residents and visitors?
 - e. **Street Scene: Abandoned vehicles** - how can TDC speed up time taken to clear abandoned vehicles?
 - f. **Selective Licensing** - Is selective licensing the best way forward for the improvement of the private rented sector in Thanet and if so, could it be replicated in other areas of the district?
 - g. **Camper Vehicles being parked on the street for too long:** What is the impact of parked Camper vans on the Thanet roads and can this be regulated by Thanet District Council?
 - h. **Promenades - safety concerns cyclists speeding and sharing the footpath:** Would a dedicated cycle path (or markings) along the promenade help control bike/ pedestrian placement (and cyclist speed)?
 - i. **Replacement bins for litter/dog waste:** What is the council's reasoning behind complete removal of damaged bins and not replacing them?
 - j. **Managing anti-social behaviour on Thanet beaches:** Are beach inspectors the best way to control or manage beach behaviour?
 - k. **Weed killer usage:** What is the best approach for managing grass and hedges in public open spaces in the district that can be used to replace the use of weed killers?

- l. **Water user group regulation:** What role does TDC have in ensuring the safety of swimmers and other water users from the behaviour of boat and jet ski users in Thanet bays?
 - m. **Rough Sleepers:** what are we doing about this as a long term plan of addressing the issue (post COVID-19)?
 - n. **Modern Slavery: - hand car washes.** Is there any intervention the council can do to address the issue of modern slavery?
 - o. **Statues and Blue Plaques:** What would be the best approach for managing the discussion on and review of suitability of statues and plaques in the district?
 - p. **Shellfish collection enforcement:** How is the collection of shellfish from Thanet beaches regulated and how can enforcement be best managed?
- 2.4 Each proposed scrutiny topic has been refined into a specific question and these have then been scored via the approved matrix and the results are attached at Annex 2 to the report. Members are asked to confirm the priority order for implementing the scrutiny reviews as proposed in the matrix, as set out in Annex 2 of the report. The Panel must bear in mind the current resource implications of the Coronavirus epidemic and that this will have an impact on which of the review suggestions can be taken forward at this time.
- 2.5 **Statues and Blue Plaques:** A verbal update would be provided at the meeting by the Panel Chairman on the progress regarding setting up a working party to consider this issue.
- Cabinet Presentations at OSP Meetings**
- 2.6 Currently there is an intention to invite the Leader of Council to discuss the Cabinet's vision moving forward. The Panel needs to agree on a more appropriate timing for this presentation.
- 2.7 For the August meeting, there are two reports that would be covered by the Deputy Leader of Council. These would constitute the cabinet member presentations and they are:
- a. Draft Empty Homes Plan 2020-23;
 - b. Tenant and Leaseholder Service Transition Update.
- 2.8 The rest of the work programme for 2020/21 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.
- 2.9 Members may also wish to reflect and comment on the content in Annex 4 which provides an opportunity to review and keep track of the spread of the scrutiny review work, particularly between pre and post decision scrutiny activities.
- 3.0 Panel Recommendations to Cabinet - Implementation Monitoring**
The Panel keeps a watching brief on all the issues in this section, until the executive decisions are fully implemented.
- Proposal for the disposal of the Dreamland freehold**
- 3.1 The Panel called-in a Cabinet decision regarding the Dreamland freehold and recommended the following back to Cabinet:

1. That Cabinet seeks three independent valuations for the Dreamland site before an agreement is reached with a buyer, and;
2. Cabinet requests an 18 year housing development restriction in the agreement instead of the proposed 10 years.

3.2 In response Cabinet agreed the following:

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.
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.

3.3 The Panel is maintaining a watching brief on this matter as the negotiations progress.

Adoption of a new Housing Assistance Policy

3.4 At the July 2019 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”.

3.5 Cabinet forwarded the request to KCC via a letter sent to KCC by the Cabinet Member for Housing and Safer Neighbourhoods on 12 August 2019. The Panel is awaiting a response from KCC.

Travellers Review Recommendation

3.6 After a scrutiny review conducted by a working group, the Panel recommended to Cabinet that “further work be undertaken including extensive public consultation to assess the feasibility and cost implications of establishing temporary tolerated sites in the district.”

3.7 Having considered the Overview and Scrutiny Panel recommendations on 16 December 2019, Cabinet agreed to the following:

“That further work was undertaken to assess the feasibility and cost implications of three temporary tolerated sites in the District, at Potten Street, St Nicholas at Wade, Tivoli Brooks and Ramsgate Port, with a view to using them on a rotational basis”.
Members are maintaining a watching brief on the issue.

Council Budget Setting 2020/21

3.8 Members reviewed the 2020/21 Council budget proposals forwarded to the Panel by Cabinet and engaged the Cabinet Member for Financial Services in discussion at the January meeting.

3.9 After some debate, Members made the following recommendation to Cabinet to consider before submitting the budget proposals to Full Council for final decision:

“that Cabinet considers identifying a resource to support coastal projects.”

3.10 Thereafter Cabinet recommended to Council and on 6 February 2020, Members agreed the following:

- That subject to funding availability, a resource be identified to support coastal projects.

3.11 The Panel will continue to monitor this issue to check if any progress has been made to secure the funding for coastal projects.

4.0 Options

4.1 Members are asked to comment and note the report.

4.2 Members can review the current work programme and make changes depending on the collective agreement by the Panel.

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Reporting to:	Nick Hughes, Committee Services Manager, Ext 57208

Annex List

Annex 1	Overview & Scrutiny Panel Work Programme for 2020/21
Annex 2	Scrutiny Review Scoring Matrix
Annex 3	Scrutiny Review Scoring Matrix Notes
Annex 4	Record of OSP Pre and Post Decision Reviews for 2020/21

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

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