

Overview & Scrutiny Panel Chairman's Report to Council

Council	10 December 2020
Report Author	Committee Services Manager
Status	For Information
Classification:	Unrestricted
Key Decision	No
Reasons for Key	N/A
Ward:	Thanet Wide

Executive Summary:

This report highlights some of the key activities that have been planned for by the Overview & Scrutiny Panel during the course of this municipal year and progress to date regarding implementation of the Panel's work programme.

Recommendation(s):

Members are to note the report.

Corporate Implications

Financial and Value for Money

There are no financial implications directly arising from this report. The report provides a briefing to Full Council about the current work activities of the Overview & Scrutiny Panel.

Legal

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

Corporate

There are no corporate risks associated with this report. The report enables discussion by Members at Full Council on the activities of the Finance Scrutiny Panel.

The debate on the Panel Chairman's report contributes to open communication across the council. A strong scrutiny function contributes to an open democratic process for decision making and delivery of value for money services as council decisions are interrogated by Members before they are implemented. In instances where such decisions are interrogated after implementation, there will be lessons to learn for future policy development.

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 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.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

1. To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
2. To advance equality of opportunity between people who share a protected characteristic and people who do not share it
3. To 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

This report relates to Communities.

1.0 Introduction and Background

- 1.1 At each ordinary Full Council meeting, the Chairman of the Overview and Scrutiny Panel presents a progress update report on the activities of the Panel since the last Council meeting.
- 1.2 Such a report would be subject to comment or debate by Members. This is in accordance with Council Procedure Rule 15.1 of Part 4 of the Council Constitution.
- 1.3 This report updates the Council on the work of the Panel since the last Council meeting and allows for discussion of the work undertaken, therefore strengthening the Council's scrutiny function.
- 1.4 This report follows on from the one presented at Full Council on 12 October 2020. The Panel met on 27 October and received reports regarding its work programme.

- 1.5 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.
- 1.6 Members may also wish to reflect and comment on the content in Annex 2 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.
- 1.7 Annex 3 is a summary of the prioritised scrutiny review topics for 20/21. This work is not necessarily confined to this municipal year, but could well be taken into subsequent years if the priority order remains generally the same for the Panel.

2.0 Current Situation

2.1 The Panel met on 27 October and reviewed its work programme during which they received an update report from the Chairman of the Memorials Working Party. The main points from that report were as follows:

- The working party agreed that this was a difficult and sensitive matter and that it would be helpful to receive representations from groups which represented persons with characteristics which were protected by the Equality Act 2010;
- There were nearly 100 memorials around in the district;
- The working group agreed that the council did not have the resources to review all such memorials and that the council would respond on a reactive rather than a proactive basis;
- The Monitoring Officer contacted the groups and individuals suggested by the working party, asking them to provide written representations on the process for considering memorials and he also invited them to attend the next meeting of the working party;
- When responses have been received, the working party hold another meeting to consider those contributions and make further progress;
- All requests for a review of a particular memorial would be considered against the Public Sector Equality Duty. However the judgement of the decision maker should be fully informed.

2.2 The working party also met on 25 November where members of the public with an interest in the subject had been invited and had agreed to attend the meeting. An update would be provided at the next council meeting.

2.3 Cabinet Member Presentations

2.4 At the October Panel meeting, Members received a presentation from the Cabinet Member for Operational Services on the management of Thanet beaches during 2020 Summer and during the discussion the following points were made:

- This was a different summer from the normal summers that are usually experienced in Thanet. There was great weather and the country was coming out of national lockdown that had been imposed as a measure to manage the global covid-19 pandemic;

- The government encouraged the public to go to the beaches in July, as going abroad was not an option, Thanet experienced an unusually large number of visitors to the local beaches;
- Very little social distancing appeared to be observed. There were some incidents of anti social behaviour that included littering and dangerous parking;
- The Council met with a number of agencies and came up with a Beach Management Plan to manage visitors on Thanet beaches;
- There were weekly operational orders shared with other agencies. There was a beach supervisor who picked up on any issues that were quickly arising and liaising on the appropriate agency that would deal with such matters;
- There was greater cooperation between the council's security and enforcement officers and CCTV personnel in tackling any incident that arose at the beaches. The council staff did their work quite well;
- New signage was introduced and electronic boards were put up to advise the public on the status of visitor numbers at beaches;
- TDC linked up with London Boroughs to share the information on Thanet beaches to reach out to as wide an audience as was possible;
- The Cabinet Member and Leader of Council conducted a number of broadcasts to share key messages;
- Coastal signage was refreshed. A summary poster of TDC bye-laws was produced for the public and businesses;
- Moving forward, the council would ensure the following that:
 - ❖ A communications plan would be devised and a review of operational presence at beaches would be conducted;
 - ❖ Meetings with the business community would be conducted to discuss the visitor environment during summer period;The Council would Reinstate the beach business group network and meetings were planned over winter with the support of the Tourism team to help coordinate this.
 - ❖ Council was working with a community group (Rise Up, Clean Up) to provide litter bag dispensers at the beaches
 - ❖ Seaweed was an issue for some areas particularly in Birchington and Westgate on Sea. The council would look into this issue and see if there could be a better way of managing that issue. The problem that the council faced was how to remove the seaweed without damaging the protected chalk area;
 - ❖ The council had established a good working relationship with partner agencies. This collaborative working would be pursued again next year;
 - ❖ A PSPO (Public Spaces Protection Order) regarding dog restrictions was out to public consultation. In order to make enforcement easier, the council would start turning bye-laws into PSPOs. This was a significant piece of work;
 - ❖ Once some of the bye-laws were changed to PSPOs then fixed penalty charges could be imposed for offending behaviour. This will be considered as part of the main review leading to a refreshed Beach Management Plan;
 - ❖ Council officers had been in discussions with various business premises to arrange for the use of their toilets by the public;
 - ❖ Council was still reviewing its own public toilet facilities.

2.5 The Panel considered an update report on Foy House. The project would provide a good mix of households. It would provide energy efficiency, with solar panels installed on the building. There would be court yard access for the families. A planning

application would be submitted before the project was implemented. It was anticipated that the project would start in April 2021, with a completion date of early 2022. This project was another important step for the work towards making a strong centralised housing service managed by the council.

2.6 At the 24 November meeting, the Panel also received a presentation led by the Leader of Council and Director of Communities on 'BREXIT - TDC Plans regarding the EU Transition coming to an end.' The key points made during discussion of this issue were as follows, that:

- There was a plan to hold up to 4,000 lorries at Manston Airport in the event of significant congestion on the M20 at the end of the transition at 11.00pm on 31 December 2020, in the worst case scenario;
- TDC had never been in favour of this plan to use Manston Airport, because of the potential impact on the district;
- However it should be noted that the plan is part of a national scheme to address traffic concerns when the UK is out of EU;
- The Council was still trying to understand the impact of the scheme and to mitigate any negative impacts, this may have for Thanet. This would include the council making representations to the national authorities;
- TDC had been engaged in a number of meetings with MPs and government ministers going back to three years;
- The Council had not been given detailed information required to understand fully the potential impact on Thanet so that the council could come up with mitigatory measures to address the impact and a plan to communicate with the local residents
- The council had not been provided with detailed information to enable a full comment on the traffic flow modelling (including managing traffic flow in and out of the airfields), environmental impact including noise vehicle emissions and light intrusions;
- The Council had received information on the draft Operational Management Plan (OMP) which included key areas like on-site medical provision, driver and staff welfare, Covid-19 outbreak plans, measures for preventing antisocial behaviour and site security. Discussions were still ongoing focusing on risk issues;
- The proposed plan placed a disproportionate burden on the district in comparison to other Kent local authorities. This could have significant long term impact on Thanet;
- The council had not received any information that reflected that the plan would not have detrimental effect on public health and safety at a critical time in combating the current public health emergency;
- The impact of local drivers being held up in traffic for long periods of time on surrounding services, communities and environment must be assessed and mitigated including addressing the issue of the welfare of drivers and staff on site;
- In the event of a Covid outbreak, a site specific plan must be formulated and be ready for implementation. This must include the provision of medical facilities on site to manage positive cases and self isolation requirements of a large cohort of drivers on site;
- The district had already seen an increase in Covid cases (the 3rd highest in England) in recent weeks. Any uncontrolled outbreak at Manston Airport site could have a significant impact on already stretched local services;

- The council continued to engage with the command and control structures and raised issues through the Strategic Command Group (SCG) and the Tactical Command Group (TCG);
- The council participated in all the training exercises that included Lundy and Perch;
- The council had reviewed and updated all business continuity plans and emergency response protocols to ensure that TDC was fully prepared for any potential disruption. The council had also conducted community impact assessments and was actively engaged with the Department of Transport (DfT) and their consultants on the plans for Manston Airport site;
- A formal response had been forwarded to the Special Development Order (SDO) consultation on the site;
- A formal response had been forwarded to the KRF Tactical Options for Community Impacts and KRF Operational Fennel Plans;
- A formal response had been forwarded to DfT and other partners regarding the Operation Management Plan;
- The Thanet Safety Review Group (chaired by TDC) would be reviewing and commenting on the operation of the site to ensure safety, health and wellbeing of the site users whilst trying to minimise the impact on local residents and services.

2.7 Members were advised that, in the meantime, the Council would continue to engage the government departments and other key stakeholders to prepare for the end of the transition and to find best ways of mitigating any worst case scenario as a result of the UK leaving the EU on 31 December.

2.8 The Panel reviewed the fees and charges proposals for 2021/22 that Cabinet would be recommending to Council on 10 December. There were no recommendations from the Panel regarding these proposals.

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.

- 3.8 Cabinet further considered this matter at the meeting on 17 September 2020 and agreed the following:
1. That the identification of appropriate tolerated stopping sites becomes part of the Local Plan review;
 2. That Officers continue with an officer and partner group, working with known groups of gypsies and travellers to address site access and behaviours.
- 3.9 The Local Plan Review Cabinet Advisory Group met on 16 November and recommended to Cabinet that “the Local Plan update should extend the Plan period to 2040,” and address among other issues “The provision of Gypsy & Traveller sites to meet identified requirements.” It is anticipated that Cabinet would be considering these recommendations on 17 December 2020.

Council Budget Setting 2020/21

- 3.10 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.
- 3.11 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.”
- 3.12 Thereafter Cabinet recommended to Council and on 6 February 2020, Members agreed the following:
- a. That subject to funding availability, a resource be identified to support coastal projects.
- 3.13 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 note the report.

Contact Officer: Charles Hungwe, Senior Democratic Services Officer
Reporting to: Nick Hughes, Committee Services Manager

Annex List

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

Background Papers

None

Corporate Consultation

Finance: Chris Blundell, Director of Finance

Legal: Tim Howes, Corporate Director of Governance & Monitoring Officer