

ESTABLISHING THE OSP WORK PROGRAMME FOR 2021/22

Overview and Scrutiny Panel	25 May 2021
Report Author	Committee Service Manager
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 2021/22 and asks the Panel to review the work programme.

Recommendation(s):

Members are being asked to provide guidance on the content of the Overview and Scrutiny Panel work programme for 2021/22.

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 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: -
(Delete as appropriate)

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

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities

1.0 Introduction and Background

1.1 This report allows the Panel to establish the work programme for the 2021/22. The work programme would help guide the activities of the Overview and Scrutiny Panel and would also provide officers with a reference point for planning appropriate levels of support for Scrutiny.

1.2 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

- 1.3 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 The Current Situation

Scrutiny Review Topics

- 2.1 In 2019/20 through to 2020/21, the Panel started working through the list of scrutiny review topics and agreed a prioritised list using the matrix that was established and agreed upon by Members. Whilst some of the topics would be considered through conducting reviews, others would be expedited through one off reports (where appropriate).

Memorial plaques and Monuments

- 2.2 The reviewing of memorial plaques and monuments in the district was one such topic. This was given priority in order to expedite the review process and contribute to the establishment of the policy by Cabinet. However due to imminent new legislation which included new guidance on how the councils could address the issue of monuments and plaques in the district, it was not possible to continue with this work stream. On 20 April 2021, the Panel decided to temporarily halt and therefore keep in abeyance the work of the Memorial Working Party until an appropriate time.

Planning Enforcement Review

- 2.3 Planning Enforcement Review: On 20 April 2021, the Panel set up the Planning Enforcement Working Party to hold one meeting and report back to the Panel on how best Scrutiny could contribute to the current review of the Planning Enforcement protocol for Thanet. reviewed the Planning Enforcement in the district at the February meeting. A meeting is being arranged by officers to take place in June leading to a report back by the working party at the 29 July Panel meeting. The Panel could at this point then decide how best to feed into the review of the planning enforcement function.

Review of the council's Community response during the pandemic: The Community Hub and engagement with the voluntary sector

- 2.4 An exploratory report would be considered by the Panel during 2021/22, after which Members would decide whether to conduct a more indepth review of the issue or take no further action. This topic arose out of a presentation by the Chief Executive on the impact of covid on businesses and communities in Thanet. During the presentation the Panel was offered to explore further any of the following topics:
- a. OPTION 1 - The Panel could receive a presentation on 'Our Response to COVID' March 2020 - March 2021.
 - b. OPTION 2 - The Panel could undertake a 'How did we do' review of TDC initial response to the first lockdown March 2020 - June 2020 including continuation of service delivery and our engagement with Kent Resilience Forum as part of the emergency response.

- c. OPTION 3 - The Panel could review how the council managed the government's COVID funding streams including Business Grants; Safely Opening High Streets; CEV funds.
 - d. OPTION 4 – The Panel could review the council's Community response during the pandemic, specifically the work of the Community Hub and engagement with the voluntary sector.
- 2.5 Although Members agreed to explore Option 4, they also indicated an interest in pursuing the other options once they completed examining Option 4 topic.
- 2.6 All the scrutiny review topics that the Panel identified as ongoing work streams that would spill over into multiple municipal year periods are detailed in the Annex 2 to the report.
- Cabinet Presentations at OSP Meetings**
- 2.7 The Panel may opt to identify specific topics that Members would wish were responded to by Portfolio Holders through Cabinet Member presentations during 2021/22.
- 2.8 The rest of the work programme would be made up of items which would have been referred to the Panel by Cabinet. These are the items which are part of the Council Budget and Planning Framework and are on the forward Plan or items which may have a significant public interest, where the Panel may feel that their contributions would enhance the decision making process..

3.0 Options

- 3.1 Members may opt to reconstitute the Planning Enforcement Working Party to explore opportunities for the Panel to contribute to the ongoing review of the planning enforcement function of the current planning enforcement protocol.
- 3.2 The Panel could come up with a different work programme.

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Annex List

Annex 1: Overview & Scrutiny Panel Work Programme for 2021/22
Annex 2: Scrutiny Review Topics with the Scoring Matrix
Annex 3: Record of OSP Pre and Post Decision Reviews for 2021/22

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*

Legal: *Estelle Culligan, Director of Law and Democracy*