

Review of Overview & Scrutiny Panel Work Programme for 2021/22

Overview & Scrutiny Panel Work 26 August 2021

Report Author Committee Service Manager

Status For Decision

Classification: Unrestricted

Key Decision No

Ward: Thanet Wide

Executive Summary:

This report comments on the activities of the Overview & Scrutiny Panel for 2021/22 which were considered by the Panel on 20 July 2021.

Recommendation(s):

Members are being asked to comment on, make decisions (as set out in the options) and 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

The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation.

The working parties assist with 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: -

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 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 Communities.

1.0 Introduction and Background

- 1.1 This report allows the Panel to review and amend the work programme for the 2021/22 municipal year agreed at the meeting on 20 July 2021.
- 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).

Planning Enforcement Review

- 2.2 Planning Enforcement Review: This review was concluded on 20 July with the adoption of the recommendations that were presented to the Panel by the Chair of the Planning Enforcement Working party. These recommendations have since been forwarded to Cabinet for consideration. However the Panel was now awaiting a report back from the Planning Applications Manager on the outcome of the ongoing Planning Enforcement Protocol. The report was expected at the 23 November meeting.

Memorial plaques and Monuments

- 2.3 The reviewing of memorial plaques and monuments in the district was initially given priority in order to expedite the review of what was then a topical issue nationwide. Cabinet then had expressed an interest to establish a policy for managing memorial plaques and monuments in the Thanet. The Panel was approached to contribute to the establishment of that policy by Cabinet. However due to the anticipated new legislation which would include 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.

- 2.4 The Panel needs to agree on the next review topic to consider from those listed at Annex 2 of the committee report.

- 2.5 Annex 1 details the current work programme before any new work has been added. 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

- 2.6 At the July meeting, Members were advised that Councilor George Kup, Cabinet Member for Community Safety and Youth Engagement would be invited to the August meeting. That would then be followed by a presentation on the vision for the council by the Leader of Council on 26 October 2021. Officers were requested to check the best time for a presentation by the Cabinet Member for Housing. This presentation could then help decide if the Panel wanted to conduct a review on a topic that was identified in 2020/21 on "private rented sector which would try to

answer the question ‘How does TDC regulate private landlords and letting agencies in Thanet?’”.

- 2.7 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 identified from the Forward Plan. Other items which may have a significant public interest, where the Panel may feel that their contributions would enhance the decision making process would also be added to the work programme.

3.0 Scrutiny Review - Coastal Waste and waste/dog bin replacement

- 3.1 At last month’s meeting, Members asked Democratic Services to develop terms of reference for the proposed waste and recycling reviews in the list of potential Scrutiny Review - these being Coastal waste and replacement dog/waste bins. Democratic Services have drafted the terms of reference for such a review and they have been reviewed by the Chairman of the Panel and the Corporate Management Team.
- 3.2 The Panel is asked to review the terms of reference and to agree to them and also to agree on the size of the review panel. If this is done then the Chairman will ask for volunteers from the Panel to be members of the review panel.

4.0 Options

- 4.1 Members are asked to agree to the coastal waste and waste/dog bins replacement as the next topic for review from the list at Annex 2 to the report.
or
- 4.2 Members may simply wish to comment on and note the report.

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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: OSP Pre and Post Decision Reviews
Annex 4: Draft Terms of reference for Coastal Waste and replacement waste/dog bin review

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*

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