

Overview & Scrutiny Panel Chairman's Report to Council

Council	14 October 2021
Report Author	Committee Service Manager
Status	For Information
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 agreed by the Panel on 25 May 2021 as the work programme for the year.

Recommendation(s):

Members are being asked to comment on, make suggestions and 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 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 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 update report that was presented at Full Council on 3 June 2021. This report is the second of the new municipal year and is a limited update to the one presented at the previous meeting as there has been no other meeting since then. The next Panel meeting will be on 20 July.

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. The sub group met on 25 June and submitted their report to the Panel on 29 July. The Panel agreed to forward for consideration by Cabinet as part of the ongoing review of the Council's Planning Enforcement Protocol, the following recommendations from the working party that:

- a. Investigations be carried out to determine the potential utility of a planning enforcement portal on the council's website to provide updates to members of the public and elected members on current cases, as well as increasing the availability of information about the Enforcement process for the public;
- b. A review be conducted to identify how the council could come up with a more effective system of prioritising planning enforcement cases;
- c. A review be conducted to determine how best to improve communication between the council and complainants regarding planning enforcement cases being handled by the council;
- d. Investigations be carried out to determine how best the council could include proactive work in the planning enforcement protocol.

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

- 2.4 At the meeting on 25 May 2021, the Panel considered the Chief Executive's exploratory report on "A review of the council's Community response during the pandemic, specifically the work of the Community Hub and engagement with the voluntary sector.

- 2.5 The purpose of the report was for the Panel to find out if there was enough interest among Members and if there was enough scope to justify conducting a more indepth review of the topic. However after some discussions, the Panel decided to take no further action.

Coastal Waste Scrutiny Review

- 2.6 At the meeting on 26 August, the Panel set up a five member Coastal Waste Review Working party to conduct a scrutiny review of coastal waste collection practices in the district. The sub group was expected to report back to the Panel in the early part of 2022.

- 2.7 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

- 2.8 The Panel agreed to invite the Leader to the meeting on 26 October to present on the vision for the current cabinet. This would be followed by a presentation by the Cabinet Member for Community Safety and Youth Engagement at the 23 November meeting.

- 2.9 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 Call In of a Cabinet Decision: Proposed Disposal of 18 Albert Street

- 3.1 The Panel called in the Cabinet decision on the proposed disposal of 18 Albert Street property in Ramsgate and considered the issue at their meeting on 8 July 2021. The reasons for the call-in were that they need “to consider whether due process was followed in excluding the building from any of the bids submitted to the Government for Ramsgate improvements. It does not appear as though any consideration was given to the possibility of including this building. If that is the case members feel they ought to have an explanation as to why it was not considered. If it was considered and not regarded, members feel there should be a set of minutes or notes to explain the decision.”

- 3.2 Members observed that this was a property in an upcoming area in Ramsgate which should not be disposed of on the open market. They indicated that residents were concerned about the loss of the property with historical significance. They suggested that the Ramsgate Future Project could make good use of assets like this one and that the property could be turned into a community asset if funding was available.

- 3.3 Other Members proposed that the property could be used for training students on asset restoration for historic assets and that Cabinet should delay the decision for

disposal in order to consider other options. They requested that should there be no negative impact, the decision for disposal be delayed for three months to consider other options.

- 3.4 However the panel was advised that delay in disposing the property would mean delay in income getting into the HRA. It was suggested that the local interest in the property could bid at the auction but Members were further advised that whilst it was a good idea for the community to own the property, the challenge was the community groups often ran out of money to manage such properties, as has been demonstrated on previous occasions.
- 3.5 In conclusion the Panel decided to take no further action regarding this Cabinet decision.

4.0 Options

- 4.1 Members may opt to offer suggestions for consideration by the Panel;
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

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Finance)*
Legal: *Estelle Culligan, Director of Law and Democracy*