

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

Overview & Scrutiny Panel Panel 15 March 2022

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 17 February 2022.

Recommendation(s):

Members are being asked to comment on 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 26 August 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 2021/22, 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).

Coastal Waste Scrutiny Review

2.2 At the meeting on 26 August 2021, 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 working party met for their first formal meeting on 6 October 2021 and agreed a work programme for conducting their review work. They identified the key witnesses (witness groups) to talk to in order to gather evidence for their report.

2.3 On 21 October 2021 the working party met council senior officers from Operational Services. These included the Corporate Director of Communities and Director of Operations. They also met the Cabinet Member for Environmental Services and Special Projects. On 4 November 2021 they met representatives from parish and town councils who oversee a portion of the district's coastline.

On 10 November 2021, the working party met two more council officers from the Tourism department (the Director of Regeneration and Tourism Manager). On 15 November 2021 met a number of volunteer litter group representatives.

2.5 The working party is now in the process of drafting their report and taking it through the pre-approval process for presentation to the Overview and Scrutiny Panel on 19 April 2022. In the meantime, the Chair of the working party will continue to give verbal updates at Panel meetings.

Memorial plaques and Monuments

2.6 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 council 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.

2.7 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

2.11 Councillor Bob Bayford, Cabinet Member for Environmental Services and Special Projects was invited to the 19 April 2022 Panel to present on the Climate Emergency Declaration made TDC, addressing the following question; "How is the Council doing in achieving the aims and objectives of its Green Agenda?" The presentation is still to be confirmed.

2.12 An invitation was also extended to the Leader of Council to attend the Panel meeting on 21 July 2022 to share her view and experience regarding “The Efficacy of using the CAGs Approach in policy development and decision making.” The presentation is still to be confirmed.

3.0 Pre Decision Scrutiny

3.1 On 17 February the Panel reviewed the “Birchington Neighbourhood Plan - Regulation 16 consultation - Formal Response from Thanet District Council” and made the following recommendations to Cabinet:

1. During consideration of the item it was noted that:
 - The words “Parish Council” needed to be deleted from policy B21 as it was the District Council who was responsible for ensuring compliance with Local Plan Policies.
 - TDC’s comments would be submitted alongside the Plan, for review by the examiner, who would then give their recommendations.

It was proposed by Councillor Tomlinson, seconded by Councillor L Piper and agreed that option one be approved, namely:

‘1) That the comments in Annex 1 of this report are agreed to be submitted as the Council's formal response to the Regulation 16 Consultation.’

3.2 The Cabinet then considered these recommendations when it considered the report at its meeting on the 22 February 2022 and accepted those recommendations.

4.0 Options

4.1 Members are asked to make any suggestions regarding the Panel’s work programme.

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

Background Papers

None

Corporate Consultation

Finance: [Chris Blundell \(Director of Finance\)](#)

Legal: