

# **Establish the Overview & Scrutiny Panel Work Programme for 2022-23**

<b>Overview &amp; Scrutiny Panel Panel</b>	26 May 2022
<b>Report Author</b>	Committee Service Manager
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	No
<b>Ward:</b>	Thanet Wide

## **Executive Summary:**

This report sets out a framework for activities of the Overview & Scrutiny Panel for 2022/23 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 2022/23.

## **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.

### **Risk Management**

There are risks arising directly from this report.

### **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 establish the work programme for the period 2022/23. 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 During 2021/22, the Panel had been working through a number of scrutiny review topics from the list that was established in 2019/20. The list of scrutiny review topics was prioritised using the matrix and is attached as Annex 2 to the committee report. Whilst some of the topics would continue to be considered through conducting reviews, others would be expedited through one off reports (where appropriate).

### **Coastal Waste Scrutiny Review**

2.2 The Coastal Review Working Party which had been set up to lead on reviewing this topic concluded its investigations and presented their findings at the 19 April Panel meeting, after which Members of the panel agreed the findings and recommendations from this review. The Panel then forwarded these recommendations to the Executive and Cabinet will consider them at the meeting on 16 June 2022.

2.3 If Cabinet is minded to agree to all or part of those recommendations, the Panel could opt to keep a watching brief to check moim the progress for implementing the recommendations.

### **Memorial plaques and Monuments**

2.4 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.

2.5 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. The government is still to provide that guidance.

### **Planning Enforcement Review**

2.6 Planning Enforcement Review: On 20 April 2021, the Panel set up the Planning Enforcement Working Party held one meeting in June and reported back to the July Panel on how best Scrutiny could contribute to the current review of the Planning

Enforcement protocol for Thanet. The Planning Manager advised that the review of the planning enforcement protocol had been put on hold due to other urgent corporate commitments, but would be resumed during the course of 2022/23. A report would be brought back to the Panel at the 21 July 2022 meeting after which Members could at this point decide how best to feed into the review of the planning enforcement function.

- 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 may opt to identify specific topics that Members would wish were responded to by Portfolio Holders through Cabinet Member presentations during 2022/23.
- 2.9 However it should be noted that an invitation was sent out 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 Leader accepted the invitation.
- 2.10 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 In establishing the work programme for 2022/23, Members may opt to reconstitute the Memorials Working Party to explore proposals for a new council policy on managing the memorial plaques and monuments in Thanet.
- 3.2 The Panel could come up with a different work programme.

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### **Annex List**

Annex 1: Draft Overview & Scrutiny Panel Work Programme for 2022/23  
Annex 2: Scrutiny Review Topics with the Scoring Matrix

### **Background Papers**

None

### **Corporate Consultation**

**Finance:**  
**Legal:**