

# Overview & Scrutiny Panel Chair's Report to Council

<b>Council</b>	14 July 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 summarises activities of the Overview & Scrutiny Panel for 2022/23 and asks the Members to comment, make suggestions and note the OSP work programme.

## Recommendation(s):

Members are being asked to comment on and note 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 At each ordinary 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. This is in accordance with Council Procedure Rule 15.1 of Part 4 of the Council Constitution. The report is subject to comment or debate by members.
- 1.2 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.
- 1.3 This report follows on from the update report that was presented at Council on 31 March 2022.

## **2.0 The Current Situation**

### **Scrutiny Review Topics**

- 2.1 During 2022/23, the Panel has 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 Cabinet. Cabinet considered the OSP recommendations on 16 June 2022 and this is reported in more detail in para 2.10.

### **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.
- 2.4 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.
- 2.5 Now that there is some guidance from the Government on the subject, the Panel agreed to resume the work of the working party in order to offer suggestions to the proposed council policy on managing memorial plaques and monuments in the district.

### **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.
- 2.7 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.

- 2.8 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.

#### **TDC & Parish/Town Councils Collaboration Working Party**

- 2.9 At the meeting on 26 May 2022, the Panel set up a working party to review the working relationship between Thanet District Council and Parish and Town Councils with a view to improving that relationship. The sub group would be meeting in the coming weeks to agree the approach for conducting the review leading to the actual review.
- 2.10 This topic arose out of the work of the Coastal Waste Scrutiny Review Working where some of parish and town councils called for closer working relationship to tackle a number of service delivery challenges relating to maintaining the district's coastal areas clean and welcoming to visitors.

#### **Watching Brief**

##### **OSP Coastal Waste Recommendations to Cabinet**

- 2.11 The Panel adopted all of the recommendations from the Coastal Waste Scrutiny Review Working and forwarded the report to Cabjui net for consideration and decision. Cabinet Considered the report on 16 June 2022 and made the following provisional decision that:

“notes the report and instructs officers, in conjunction with the relevant portfolio holders, to undertake a comprehensive review of all the matters raised in the OSP report and to report back to Cabinet before the end of the year.”

- 2.12 The Panel will maintain a watching brief on the issue until Cabinet makes a final decision on this matter.

#### **Cabinet Presentations at OSP Meetings**

- 2.13 The Panel was still to identify more topics that could be addressed through Cabinet Member presentations during 2022/23.
- 2.14 The Leader of Council agreed to share her view and experience regarding “The Efficacy of using the CAGs Approach in policy development and decision making.” The presentation would be at the Panel meeting on 22 November 2022.
- 2.15 Some of the presentation topics would arise as part of the Council Budget and Planning Framework and are on the forward Plan, whilst others may come from forthcoming cabinet decisions that are of significant public interest, where the Panel may feel that their contributions would enhance the decision making process.

### **3.0 Options**

- 3.1 Members are being asked to comment on and make suggestions to the OSP work programme for 2022.

3.2 Members may wish to simply note the report.

**Contact Officer:** Charles Hungwe, Senior Democratic Services Officer, Tel: 01843 577186

**Reporting to:** Nick Hughes, Committee Services Manager, Tel: 01843 577208

### **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:**