

Overview & Scrutiny Panel Chair's report to Council

Council	08 September 2022
Report Author	Committee Service Manager
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	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 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.

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 14 July 2022.

2.0 The Current Situation

Stagecoach bus services in Thanet

- 2.1 As a result of a request by a Panel member at the meeting on 21 July, the Panel agreed to conduct an urgent review of the decision by Stagecoach to discontinue bus services for some routes in Thanet. Members had received some complaints from residents regarding this decision by Stagecoach. Members acknowledged that this was a decision by a private company, but further said that the company was providing a public service.
- 2.2 The Panel had hoped to hold a meeting with Stagecoach company representatives before 28 August when the decision to discontinue some bus route services in Thanet would be implemented. It was reported to Members that Stagecoach to discontinue the bus services for Thanet Route 33 (Eastern Esplanade, Kingsgate, Grange Road, Stanley Road, East Dumpton and Colburn Road), Route 37 (Stanley Road, Lanthorne Road/Stone Road, St. Peter's Village and The Silvers) and Route 9 (between Monkton and Canterbury).
- 2.3 Members had hoped to discuss with the bus company the impact this decision would have on some Thanet residents. This engagement with Stagecoach would help the councillors' understanding of the issues relating to this matter and consider options available to residents. However the Panel was still awaiting a response from the company regarding the invitation that had been extended to Stagecoach on 27 July.

Scrutiny Review Topics

- 2.4 During 2022/23, the Panel has been working through a number of scrutiny review topics from the list that was carried over from 2021/22. 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).

Memorial plaques and Monuments

- 2.5 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.
- 2.6 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 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. This project is being led by the Council's Monitoring Officer. The Interim Monitoring officer was now working with the sub group to conclude the review. The

working party will be meeting towards the end of September to discuss the draft policy before making any recommendations for consideration by the Overview and Scrutiny Panel on 25 October 2022.

TDC & Parish/Town Councils Collaboration Working Party

- 2.8 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.
- 2.9 This topic came about as a result of the meetings held by the Coastal Waste Scrutiny Review Working and parish and town councils. It was during these sessions that representatives from 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.
- 2.10 The sub group met on 7 July 2022 and agreed on the approach for conducting the review. The working party agreed to hold separate hearing sessions to gather evidence from parish/town council representatives (clerks/Council Chairs), TDC officers, cabinet members (if required) and the Leader of Council.
- 2.11 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.

Watching Brief

OSP Coastal Waste Recommendations to Cabinet

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

"Cabinet 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."

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

Planning Enforcement Review

- 2.14 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.
- 2.15 An update report was presented to the Panel on 21 July by the Corporate Director of Place and Members noted the progress made to date. The Panel was advised that the full review will be completed once The Levelling Up and Regeneration Bill was enacted into law, as the enforcement protocol would need to make reference to the provisions of this new Bill. As a result it is suggested that the Panel keeps a watching brief on this matter until the review is concluded.

Cabinet Presentations at OSP Meetings

- 2.16 The Deputy Leader of Council agreed to make a presentation at the Panel meeting on 25 October 2022 to discuss the Levelling Up Funds and Regeneration Projects in Thanet and focus on an update on progress regarding the project implementation for each project that has been funded to date. The presentation would include a discussion on the initial impact of the Funds and the projects on Thanet communities, particularly with regards to employment creation and other opportunities.
- 2.17 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.
- 2.18 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 2022/23
- 3.2 Members may wish to simply note the report.

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Annex List

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

Background Papers

None

Corporate Consultation

Finance:

Legal: Sameera Khan, Interim Head of Legal and Monitoring officer