

Overview and Scrutiny Panel Review Report on Collaboration between TDC and Parish and Town Councils

Cabinet	21 September 2023
Report Author	Charles Hungwe, Deputy Committee Services Manager
Portfolio Holder	Councillor Everitt, Leader of Council and Cabinet Member for Strategy and Transformation
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Previously Considered by	Overview and Scrutiny Panel - 14 March 2023
Ward:	Thanet Wide

Executive Summary:

This report contains the Cabinet Response to the recommendations contained within the Scrutiny Review Report of the Collaborations Working Party. In July 2022, The Overview and Scrutiny Panel commissioned the Collaborations Working Party to review how the Council could improve closer working relationships with parish and town councils for improved service delivery to Thanet residents. The review reported its findings back to the Overview and Scrutiny Panel who in turn recommended them to Cabinet. Those findings in the form of the Working Party's final report are attached at Annex 1 to this report.

Recommendation(s):

Cabinet is being asked to consider and make a decision on the recommendations from the Overview and Scrutiny Panel highlighted in section 3 and covered in more detail in the review report attached as Annex 1 to the cover report.

Corporate Implications

Financial and Value for Money

The report recommends the prioritising of resources for improved collaborative working between TDC and the parishes and identifying financial resources for any functions that would be delegated to parishes if TDC was to delegate any functions to the parishes. Due to TDC's limited resources any prioritisation for these activities would most likely require the council to consider what other activities would need to be deprioritised in order to release and reallocate funding.

In other words, the council would need to identify new sources of funding or reduce funding on other service areas or activities (via savings or service reductions) to provide the funding to pay for any functions that would have been delegated to parishes. If an officer role were to

be identified to support formal engagement of parishes by TDC as proposed in Recommendation 4, again sources of funding such a role would need to be identified.

However, it would be necessary for the council to have assurance that any income estimates to fund the proposals as detailed in the report were robust, reliable and sustainable before they could be included in the budget.

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

Adoption of the recommendations in this report and as detailed in Annex 1 to the cabinet report, Cabinet would need to be aware of the financial implications which would arise. This is with particular reference to the need to identify additional resources to fund some of the implementation of those recommendations. The recommendations would also be best implemented through an action plan which would provide a better structure for carrying out the work. An action plan would also make it easier to monitor progress and measure the impact of the new way of working between Thanet District Council and parish and town councils.

Corporate

This report is a result of the work undertaken by a working party that was tasked by the Overview & Scrutiny Panel to conduct an investigation into the potential for closer collaborative working between Thanet District Council and Parish and Town Councils. Any findings would need to be shared with Cabinet for a final decision.

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: -
(Delete as appropriate)

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.

- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- 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 is 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 the following corporate priorities: -

- Growth
- Environment
- Communities

1.0 Introduction and Background

1.1 At the meeting on 26 May 2022, the Overview and Scrutiny Panel set up a four member Collaboration Working Party to conduct a scrutiny review on identifying the potential for closer collaborative working between Thanet District Council and parish and town councils for improved service delivery to the district. The review topic was picked out of a list of topics that were identified by the Panel (on officer advice) and that list forms part of the Overview and Scrutiny Panel work Programme.

1.2 The working party was given specific terms of reference as follows:

- a. To consider establishing closer working relationships between TDC and Parish and Town Councils.

2.0 The Scrutiny Review Process

2.1 The working party had three further sessions. One was with Cabinet on 27 October which was attended by members of the previous Cabinet, mainly the Leader of Council, Deputy Leader and Cabinet Member for Economic Development, Cabinet Member for Housing and Cabinet Member for Environmental Services and Special Projects. The working party then held a meeting with parish and town council chairs and clerks on 3 November and this was followed by a session with TDC senior officers on 9 November 2022.

2.2 These sessions were useful in bringing forward a number of suggestions that will be shared by the working party in the report back to the Panel. The sub group met on 24 November 2022 and agreed on the findings that came out of this investigation and recommendations and then signed off the report at a meeting on 1 February 2023. Thereafter the Overview and Scrutiny Panel adopted the report on 14 March 2023.

2.4 The scrutiny review report is attached as Annex 1 to the covering report.

3.0 Recommendations of the Scrutiny Review Report

3.1 The recommendations of the Scrutiny are as follows:

1. Reconstitute the Parish Forum, meeting quarterly with a strictly controlled agenda. Its membership would be Parish & Town Council Chairs and Clerks, it would be chaired by the Leader of Thanet District Council, and other officers and members could attend by invitation;
2. Provide clarification on options for delegation of responsibilities from TDC to Parish and Town Councils, with a view to further developing these responsibilities over time;
3. Encourage a spirit of learning and sharing so Parish, Town and District Councils can learn from each other, and Councils can share their experiences of carrying out certain delegated functions;
4. Establish a dedicated officer role to act as the point of contact between Parishes and the District. Identify a Cabinet Member to support and monitor any transition of functions between TDC and Town/ Parish Councils;
5. Provide a regular circular for information to Parish & Town Councillors and Clerks, based on information in The Loop and the CEx's fortnightly mailing to TDC members;
6. Invite Parish/ Town Councillors to attend training provided for District Councillors as appropriate to help establish a shared understanding and approach on important issues. Invite Chairs and Clerks to Members' Briefings on matters of mutual interest;
7. Work with the Parishes to jointly develop a Parish Charter, which would detail a framework for collaborative working between the District Council and Parish and Town Councils. The Charter would also explain how Parishes could take on additional responsibilities from the District Council and highlight the need for mutual respect between the two tiers;
8. Establish good communication between the District and Town/ Parish Councils, so that Town & Parish Councils are routinely kept informed of, and where appropriate consulted on, District Council plans affecting their areas - for example, planned Asset Disposals (which will require a review of the current Asset Management Policy), events plans, funding bids and regeneration proposals;

9. Share an up to date TDC officer and Member structure chart with contact details that can be shared with Parish and Town Councils.

4.0 Comments on the Recommendations from Officers

1. Reconstitute the Parish Forum, meeting quarterly with a strictly controlled agenda. Its membership would be Parish & Town Council Chairs and Clerks, it would be chaired by the Leader of Thanet District Council, and other officers and members could attend by invitation;

Comments: Agreed

2. Provide clarification on options for delegation of responsibilities from TDC to Parish and Town Councils, with a view to further developing these responsibilities over time;

Comments: Agreed

3. Encourage a spirit of learning and sharing so Parish, Town and District Councils can learn from each other, and Councils can share their experiences of carrying out certain delegated functions;

Comments: Agreed

4. Establish a dedicated officer role to act as the point of contact between Parishes and the District. Identify a Cabinet Member to support and monitor any transition of functions between TDC and Town/ Parish Councils;

Comments: Agreed. The nominee is the Head of Neighbourhoods

5. Provide a regular circular for information to Parish & Town Councillors and Clerks, based on information in The Loop and the CEx's fortnightly mailing to TDC members;

Comments: Agreed

6. Invite Parish/ Town Councillors to attend training provided for District Councillors as appropriate to help establish a shared understanding and approach on important issues. Invite Chairs and Clerks to Members' Briefings on matters of mutual interest;

Comments: Agreed

7. Work with the Parishes to jointly develop a Parish Charter, which would detail a framework for collaborative working between the District Council and Parish and Town Councils. The Charter would also explain how Parishes could take on

additional responsibilities from the District Council and highlight the need for mutual respect between the two tiers;

Comments: Agreed

8. Establish good communication between the District and Town/ Parish Councils, so that Town & Parish Councils are routinely kept informed of, and where appropriate consulted on, District Council plans affecting their areas - for example, planned Asset Disposals (which will require a review of the current Asset Management Policy), events plans, funding bids and regeneration proposals;

Comments: Agreed

5.0 Options

- 5.1 Cabinet could decide to agree as a whole or in part, the findings and recommendations of the Overview and Scrutiny Panel as outlined in Section 3.0 above.
- 5.2 Cabinet could decide to reject some or all of the recommendations.

6.0 Next Steps

- 6.1 If Cabinet is minded to agree all or part of the recommendations, officers will then structure these into an action plan for their implementation.
- 6.2 Members of the Overview and Scrutiny Panel, could then be able to keep a watching brief of the progress regarding the implementation of the action plan.
- 6.3 Some of the recommendations would require an identification of the budget in order to allocate resources for carrying out the work required by those recommendations.

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Reporting to: (Nick Hughes, Committee Services Manager)

Annex List

Annex 1: Collaboration Scrutiny Review Report

Background Papers

None

Corporate Consultation

Finance: *Chris Blundell (Director of Corporate Services - Section 151)*

Legal: *Sameera Khan (Interim Head of Legal & Monitoring Officer)*