

Overview & Scrutiny Panel Chair's Report to Council

Council	7 December 2023
Report Author	Committee Service Manager
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

This report summarises activities of the Overview & Scrutiny Panel for 2023/24 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 is an update to Full Council on the work of the Panel since the last Council meeting and allows for discussion of the Panel's planned activities, which hopefully strengthens the Council's scrutiny function.
- 1.3 This report follows on from the update report that was presented at Council on 12 October 2023.

2.0 THE WORK PROGRAMME

Scrutiny Review Topics

- 2.1 At the Panel meeting on 30 May 2023, Members put forward a number of topics and these were finalised at the July meeting. The matrix for scoring and prioritising review topics is attached as Annex 2 to the report. If the list is not progressed to completion during the current year, any remaining topics would then be carried over into the following municipal year.
- 2.2 The Panel agreed to investigate the following topics:
1. Impact of tourism
 2. Fly tipping and abandoned vehicles;
 3. Grant funding review.
- 2.3 The Tourism Working party met on 26 October and took evidence from Penny Button. They are going to meet again on 30 November to put together main points for drafting their report. This session would include collecting more evidence from TDC Members who may wish to share their views with the sub group.
- 2.4 Annex 1 is the work programme and Annex 2 is the scoring matrix table. Annex 3 is the table that reflects the distribution of the OSP work programme.

Cabinet Presentations at OSP Meetings

- 2.5 Members requested the following cabinet member presentations:
- A presentation on the Parking Strategy;
 - A presentation on broken household waste/recycle and green waste bins at the Panel meeting on 21 November 2023.
- 2.6 Members could also identify subject items for presentation from the Forward Plan or any emerging topical issues which may have a significant public interest, where the Panel may feel that their contributions would enhance the decision making process.
- 2.7 Annex 3 shows the distribution mix of the Panel's work programme which highlights pre decision and post decision scrutiny work as well as cabinet member presentations and the work programming activities.

Key Decisions

- 2.8 There was now an arrangement between Cabinet and the Overview & Scrutiny panel that all key decisions need to be reviewed by the Panel before Cabinet approved such decision decisions. This would increase the role that non cabinet members play in shaping future key decisions and strategic decisions that are being made by the Council.
- 2.9 The following key decision items are going to be reviewed by the Panel in the last half of the 2023/24 municipal year:

- Public Toilets refurbishment and renewal project - 6 December 2023 extraordinary OSP meeting;
- Jackey Bakers Recreation Ground- 6 December 2023 extraordinary OSP meeting;
- Adoption of a Combined Surveillance/CCTV/Image recording technologies Policy - 21 November 2023 meeting;
- Purchase of Section 106 Affordable Housing Units - 21 November 2023 meeting;
- Department for Levelling Up, Housing and Communities externally funded projects approvals - 16 January 2024 meeting;
- Changes to the statutory Instrument governing the level of fines for fly tipping, Breach of Duty of care - 15 February 2024 meeting.

3.0 Options

3.1 Members are being asked to comment on and note the report.

3.2 Members may opt to make suggestions for the Panel to consider.

Contact Officer: Charles Hungwe, Deputy Committee Services Manager

Reporting to: Nick Hughes, Committee Services Manager & Deputy Monitoring Officer

Annex List

Annex 1: OSP Work Programme for 2023/24

Annex 2: Scrutiny Scoring Matrix Table for 2023/24

Annex 3 : OSP Pre and Post Decision Scrutiny for 2023/24

Background Papers

None

Corporate Consultation

Finance: Chris Blundell, Director of Corporate Resources & S151 Officer

Legal: Sameera Khan, Interim Head of Legal & Monitoring Officer