

Annual Overview & Scrutiny Panel Report to Council for 2023/24

Council	28 March 2024
Report Author	Councillor Fellows, Chair of Overview & Scrutiny Panel
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

The purpose of the report is to highlight some of the key activities that have been planned and implemented by the Overview & Scrutiny Panel for the 2023/24 municipal year period.

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 ensure that its overview and scrutiny functions adhere to the provisions of the statutory guidance on Overview and Scrutiny from the ministry of Housing, Communities and Local Government. .

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 the following Corporate Priorities:

Priority five: To work efficiently for you

1.0 Introduction and Background

- 1.1 The Chair of the Overview and Scrutiny Panel is required to present an Annual Panel report towards the end of each municipal year to share an overview of the work undertaken by the Panel during the course of the year under review.
- 1.2 The report comments on a number of activities carried out by the Panel during the period under review. It is hoped that this report would therefore provide the basis for debate by Members on the Panel's annual activities and hopefully lead to sharing of views and ideas to enhance the Council's scrutiny function.

2.0 Cabinet Member Presentations

2.1 During the course of the year the Panel engaged cabinet members in discussions on a number of subject matters that fall under their respective portfolio areas. The purpose of these engagements through cabinet member presentations at Panel meetings was for the Panel to contribute to policy decisions on issues under active consideration of the executive as well as get an update on the current matters that the Cabinet was working on.

2.2 Topics have included:

- Leader's Presentation on the Vision for the Council
- Update on Planning Enforcement Review
- TDC Policy regarding Broken Bins and Green Bins Renewal Policy for Households
- Background to the Council's Parking Strategy Review
- Update on Commercial Property Processes.

2.3 Committee agenda papers and minutes are available on the Council's website (www.thanet.gov.uk)

3.0 Scrutiny Reviews conducted by the Panel

3.1 The Overview and Scrutiny Panel has undertaken one scrutiny review this year and is currently finalising its report for presentation to the Panel. This Scrutiny Review covered the topic of the negative impact of Tourism on the district. It is expected that the final report will be presented to the Panel at its meeting in April. Once this review has been completed, the next review will focus on grant funding.

3.2 The previous Overview and Scrutiny Panel had completed a scrutiny review on "TDC and Parish & Town Councils Collaboration" and sent it to Council before the most recent election. Cabinet considered this scrutiny review report at its meeting on 21 September 2023. The Cabinet accepted all the recommendations of the review report.

4.0 Call-Ins

4.1 There were no valid Call-ins made by the panel in the past municipal year.

5.0 Recommendations to Cabinet

5.1 OSP made seven recommendations to the Cabinet these are outlined below:

The Re-tendering of the responsive repairs contract

- That Council explore the inclusion of a performance related monitoring of the contract that would lock into the contract a performance related fee and penalty.

Jackey Bakers Recreation Ground

- That wording is added to recommendation (c) in the Panel report as follows:
“Approves a public engagement exercise to inform the master planning for Jackey Bakers, based on SECTION 1 OF the draft master plan attached at annex 1”;
- To ensure the temporary changing facilities are properly insured and secured;
- That the Council explores facilities that will be installed that will encourage safe enjoyment of Jackey Bakers by girls and young women.

Public Toilets Refurbishment and Renewal Project

- That the Western Undercliff public toilets be added to the list of toilets for consideration when further funding becomes available.

Land at Shottendane Road

- The Panel rejected the officer's recommendation that “Subject to the outcome of the consultation, submit an application for outline planning permission for the provision of Gypsy and Traveller Pitches on the land marked 1aⁱⁱⁱ in annex 5.”
- The Council hold-off consultation until the Council had looked at all its holdings to identify more suitable sites and that would then be followed by a full and transparent public consultation.

5.2 Of the seven recommendations to Cabinet, four were agreed to by the Cabinet and three were rejected.

6.0 Councillor Call For Action

6.1 There were no Councillor Calls for Actions considered this municipal year.

7.0 Pre Decision Scrutiny

7.1 In a change to previous practice the Cabinet asked that the Overview and Scrutiny Panel review all key decisions prior to their consideration by the Cabinet. This has significantly increased the workload of the Panel and has required a number of additional extraordinary meetings to be called to accommodate this. The calendar of meetings that was agreed by the Full Council in February increased the number of Overview and Scrutiny Panel meetings to mirror the number of Cabinet meetings in future years.

8.0 Chair's Comments

8.1 I would like to thank members of the Scrutiny Panel for their work this past year. It's been a busy period with lots of key decisions coming forward to the panel and on to cabinet. There's been some lively scrutinising at times and I thank officers and cabinet members who came along and took part in the questioning and answering sections.

I'm sure members feel more informed because the panel is doing more pre-decision scrutiny and we look forward to continuing this work through the next year.

9.0 Options

9.1 Members are asked to comment on and note the report

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Annex List

Annex 1: Overview & Scrutiny Panel Scrutiny Review Topics for 2023/24
Annex 2: Record of OSP Pre and Post Decision Reviews up to 2023/24

Background Papers

None

Corporate Consultation

Finance: Chris Blundell (Director of Corporate Services)
Legal: Ingrid Brown (Head of Legal and Democracy and Monitoring Officer)