

Tendring District Council



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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

AGENDA

DATE:	Monday, 8 February 2021
TIME:	7.30 pm
VENUE:	https://www.tendringdc.gov.uk/livemeetings

MEMBERSHIP:

Councillor Skeels(Chairman)
Councillor Chittock(Chair)
Councillor Amos
Councillor Clifton
Councillor Davidson

Councillor Davis
Councillor King
Councillor Miles
Councillor Steady

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For further details and general enquiries about this meeting, contact Keith Simmons Email: democraticservices@tendringdc.gov.uk or Telephone on 01255 686580

DATE OF PUBLICATION: Friday, 29 January 2021

Chief Executive
Ian Davidson

www.tendringdc.gov.uk
Minicom: 01255 475566

 INVESTORS
IN PEOPLE | Gold

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 1 - 6)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Monday 30 November 2020.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Questions on Notice pursuant to Council Procedure Rule 38

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District and which falls within the terms of reference of the Committee.

5 Report of Head of Strengthening Communities at Essex County Council. - A.1 - Social Isolation and Mental Health. (Pages 7 - 10)

The purpose of this paper is:

- a) to set out what we are currently doing to address social isolation as a key component to tackling mental illness;
- b) how we're responding to the amplified need, specifically for key cohorts who have become increasing isolated due to COVID and its restrictions, both through formal support and building resilience; and
- c) to seek the views of HWB members as to where and what the gaps are in our approach, and the consider what remedies are available.

6 Report of the Assistant Director of Environment and Housing. - A.2 - Mitigation Measures for Impact of Public Firework Displays (Pages 11 - 14)

To provide an update on the current position in respect of Councillor Sue Honeywood's motion to Council on 21st January 2020 in respect of public firework displays. Councillor Honeywood's motion was considered at this Committee on 28 September 2020 and discussed at Full Council in November 2020 when a further review by this Committee was requested.

7 Report of the Leader of the Council. - A.3 - Priority for Actions 2021/22 and monitoring delivery of those actions. (Pages 15 - 32)

So the Committee can review the report of the Leader of the Council to Cabinet in relation to inviting Cabinet to determine its provisional key priority actions for 2021/22 and the means by which performance against the priorities will be monitored and reported on in that year. Cabinet is further invited to approve that consultation on these key priority actions and the performance monitoring proposals be undertaken with the Overview and Scrutiny Committees. The outcome of the consultation would then be reported to Cabinet on 19 March 2021.

8 Report of the Corporate Finance & Governance Portfolio Holder. - A.4 - Protocol for Cabinet and Overview & Scrutiny Roles (Pages 33 - 48)

So the Committee can review the report of the Corporate Finance & Governance Portfolio Holder to Cabinet in relation to the approval of the draft Protocol for Cabinet and Overview and Scrutiny roles, which has been produced following consultation undertaken with the Chairman of the relevant Committees and Portfolio Holders for recommendation onto the Overview and Scrutiny Committees and full Council for adoption and incorporation into the Council's Constitution.

9 Scrutiny of Proposed Decisions (Pages 49 - 50)

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13, the Committee will review any new and/or amended published forthcoming decisions relevant to its terms of reference and decide whether it wishes to enquire into any such decision before it is taken. Matters may only be raised on those forthcoming decisions at Committee meetings where the Member has notified the Committee Services Manager in writing (or by personal email) of the question they wish to ask, no later than Midday, two working days before the day of the meeting.

10 Recommendations Monitoring Report (Pages 51 - 54)

To present to the Committee the updated Recommendations Monitoring Report, outlining any recommendations the Committee have sent to Cabinet. The Committee is requested to consider the report and determine whether any further action is required on the recommendations submitted.

11 Review of the Work Programme (Pages 55 - 62)

To present to the Committee a draft detailed Work Programme 2020/21, to consider the detail and ordering of the Work Programme.

Date of the Next Scheduled Meeting

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Agenda Item 2

Community Leadership Overview and
Scrutiny Committee

30 November 2020

**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE,
HELD ON MONDAY, 30TH NOVEMBER, 2020 AT 7.30 PM
THE LINK TO LIVE STREAM IS AVAILABLE VIA
[HTTPS://WWW.TENDRINGDC.GOV.UK](https://www.tendringdc.gov.uk)**

Present:	Councillors Skeels (Chairman), Chittock (Vice-Chairman, in the Chair), Amos, Davidson, Davis, King, Knowles, Steady and M Stephenson
Also Present:	Councillor McWilliams
In Attendance:	Ian Davidson (Chief Executive), Keith Simmons (Head of Democratic Services and Elections), Anastasia Simpson (Assistant Director (Partnerships)), John Fox (Public Health, Wellbeing & Environmental Protection Manager), Karen Townshend (Licensing Manager) and Keith Durran (Democratic Services Officer),
Also in Attendance:	Pam Green (Chief Operating Officer for the North East Essex Clinical Commissioning Group), Dr Mike Gogarty (Essex County Council's Director Public Health) and Melanie Hammond (Chief Officer at Tendring Citizen's Advice Bureau)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of the Chairman of the Committee (Councillor Skeels) (with no substitute) and Councillors Clifton (with Councillor Knowles substituting) and Miles (with Councillor M Stephenson substituting).

2. MINUTES OF THE LAST MEETING

The Minutes of the last meeting of the Committee held on Monday 28 September 2020 were approved as a correct record.

3. DECLARATIONS OF INTEREST

There were none on this occasion.

4. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question.

5. REPORT OF THE ASSISTANT DIRECTOR FOR HOUSING AND ENVIRONMENTAL HEALTH - A.1 - HEALTH PROVISION AND CARE RESPONSE

Further to the meeting of the Committee held on 13 January 2020 (Minute 84 refers) the Committee was updated around deprivation, health measures and the proposed integrated neighbourhood team for Tendring South. Also included was funding for primary care on the Clacton Hospital site and the operation of GP services from Kennedy House. The meeting was also to consider the Covid-19 measures to control

spread and identify those most at risk and how to protect them and to also consider the role of community groups and volunteers.

The Committee heard that its previous meeting on health had been in January 2020 and although a number of updates were required to be brought forward at that meeting the overriding piece of work undertaken since that time, by all partners including health, had been in relation to the Covid-19 response. Only a limited amount of progress had been made before the first wave struck and then available resources were all focussed on the appropriate Covid-19 response, although the later summer period had allowed for some return towards more normal operations the main focus now was again on the Covid-19 response.

It was reported to Members that the main body of work undertaken in respect of deprivation was the focus on the deprived areas in respect of the Covid-19 response since those in more deprived areas had suffered worse health outcomes. Work had been undertaken to ensure parity of access to services and in particular the community response involved ensuring that those most in need could still access essential services such as medication or food.

Members were updated that the outline business case for the Primary Care Hub at Clacton Hospital was proceeding with a proposed submission to NHS England/Improvement in December 2020 with approval expected to take 3 months. The Hub would provide opportunities for integrated working across multiple partners and would also provide improved accommodation elsewhere on the site. That development had been co-designed with two GP practices from the start in order to ensure that the needs of residents and staff were met. Building works were progressing at Kennedy House and the handover was due to take place in March 2021 and that would align with the timeline for the completion of the current Alternative Provider Medical Services (APMS) procurement.

It was reported to the Committee that work had continued on the neighbourhood team model although it had been somewhat delayed due to Covid-19. On that basis the initial neighbourhood team site was being set up within central Colchester. There were six teams proposed across the North Essex footprint. Following the setting up of the initial site in the winter of 2020/21 the other sites would be set up during 2021. A Senior Responsible Officer had been appointed and engagement with partners had been undertaken to ensure the effective mobilisation of the neighbourhood teams and for example a wider stakeholder workshop was to be undertaken on 2 December 2020 to move that forward.

The Committee heard that significant work had been undertaken by all partners in respect of the Covid-19 response and the Public Health Team at Essex County Council had led the public health response. That had involved the development of an Outbreak Control Plan in respect of Covid-19 which had been implemented effectively and that had included support from district and borough councils in Essex. Weekly Health Protection Board meetings had also been undertaken to ensure the response was appropriate and targeted.

The Committee was updated that The Essex Wellbeing Service had also been developed to ensure that residents were effectively supported and particularly those most at risk. The team had also been integral to supporting track and trace and ensuring

that there was support, engagement and enforcement where necessary to assist in controlling the spread of Covid-19. In addition that had included supporting in investigating outbreaks and providing appropriate advice.

Members heard that the work undertaken during the initial lockdown period had provided for an effective response which was being used in an ongoing way and being further developed in the light of ongoing changes. The flu vaccination programme had neared completion and had been effectively delivered. In terms of the community response to support those who were vulnerable, the focus was on deprived areas and also the wider rural areas which were more difficult to access or where residents had more difficulty accessing on line support. The Council had quickly aligned some temporary roles to support those groups that provided a call and advice reception and made proactive calls.

The Committee was informed that a raft of local voluntary groups had been formed and those contacts had been audited to understand their capacity and capability which had then been fed into a new database and App that would match community demands to the developing volunteer base. With 6500 Category A residents appropriate advice and support had been offered by the community groups coordinated through the Community Hub with a focus on actual vulnerability of individuals to ensure resources were deployed appropriately in a flexible and tailored way considering the different needs across the District. Volunteer groups locally had been supplemented by Essex Welfare Service volunteers which numbered about one hundred and with the local share of NHS volunteers for the Tendring area there had been sufficient assistance available to meet requests for assistance received.

The Operation Shield helpline set up by the Council had dealt with in excess of 2500 incoming calls and had made 3000 outgoing calls and there had been over 50 personal visits to ensure residents most at need had been appropriately supported.

After a very in-depth discussion it was moved by Councillor Stephenson and seconded by Councillor Davis that it is **RECOMMENDED** to **CABINET** that:

- The suggestion from the Chief Operating Officer for the North East Essex Clinical Commissioning Group (CCG) to create a forum across North East Essex that will allow Councillors to communicate the views of their constituents with the GP practice leads directly be supported and the CCG urged to implement this as soon as possible.
- the continued hard work of the North East Essex Clinical Commissioning Group and local NHS providers, Dr Gogarty and the Public Health team at Essex County Council as well as this Council's redeployed/redirected staff supporting those in need due to Covid-19 restrictions be recognised.

The urgent need to establish an integrated neighbourhood primary care network in the Tendring South Area (covering parts of Clacton and Jaywick Sands) be recorded and representations made to the CCG to ensure there is no further slippage in its development (as this was to have been the first such primary care network in the CCG's area in view of the health inequalities in that Area and for understandable reasons the CCG had had to prioritise the setting up of a network in Central Colchester first).

It was also **RESOLVED** that the kind offer of Chief Operating Officer for the North East Essex Clinical Commissioning Group (CCG) to share with the Committee information obtained from the various engagement processes the CCG have carried out in the community (as referenced in her report to the Committee) be accepted and consideration be given at a future meeting of the Committee as to when to enquire further in respect of the many measures it was advised were underway locally to improve health services locally.

6. REPORT OF THE ASSISTANT DIRECTOR FOR PARTNERSHIPS A.2 - TENDRING MENTAL HEALTH HUB

The Committee heard how the Mental Health Hub had been launched by the Tendring branch of the Citizens' Advice Bureau in 2015 with support from Active Essex, Essex County Council, Essex's Police and Crime Commissioner and Tendring District Council.

The hub, located in Clacton, offered an easy single point of entry for referrals from GPs, health professionals, police, and self-referrals. The idea of the hub was to carry out "holistic assessments" of people with mental ill health taking into account all the various factors behind their situation and point them in the right direction for help.

It was reported to Members that the hub was also staffed mainly by volunteers who had experience of mental ill-health issues, including problems with homelessness, social isolation or income, and helped to give them the confidence to go on to volunteer elsewhere. Volunteers also gained key personal skills, had social contact, and made friends.

More than 20% of the volunteers had gone on to mainstream charities, while 12% had gone on to paid employment.

After a brief discussion it was moved by Councillor Chittock and seconded by Councillor Davis that is **RECOMMENDED** to **CABINET** that:

- the suggestion from the Chief Officer at Tendring Citizen's Advice Bureau that the Mental Health Hub services/reach could be expanded if premises closer to the Town Centre in Clacton could be found be actively supported.
- It was also RESOLVED to record the support of the Committee for the hard work carried out by the Citizens Advice Bureau, and its officer, staff and volunteers in delivering the Mental Health Hub in Clacton to address, in part, the challenges of mental health locally.

7. REPORT OF THE CORPORATE DIRECTOR FOR OPERATIONS AND DELIVERY - A.3 - LICENSED PREMISES – LICENSING ACT 2003

The Committee was provided with information in respect of premises that were licensed under the Licensing Act 2003. Those Premises were required by law to meet the four licensing objectives which were:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

-
- The protection of children from harm

Breaches of the above objectives could lead to suspension, further imposed conditions or revocation of the licence permitting licensable activities by the Council's Premises/Personal Licenses Sub-Committee.

Members heard that standard compliance checks of premises were conducted by the Licensing Section in addition to any enforcement visits that arose as a result of any reported incidents. Those were investigated by the department and relevant action was taken if required. Regular night time economy checks were also conducted alongside Essex Police (though those operations had reduced in frequency during the Covid 19 pandemic due to resource factors, alternative tasking and safety considerations). During the pandemic, a shift had meant partnership work with the Police had focused on business and premises compliance in line with current Covid 19 regulations.

Members also heard that a good multi-agency working relationship had been established with responsible authorities and several joint agency initiatives and premises visits had taken place, including with Essex Police, Essex Fire and Rescue Service and Immigration Services. Those visits predominantly focused on standard licensing objectives, but could be "focus specific" due to a particular concern from intelligence or information received. That could include, but was not exhaustive of breach of fire safety regulations and illegal workers. The responsible authority would act as the lead agency with support from the other involved agencies.

The Committee was informed of the virtual relationship with Trading Standards, who were the lead authority for under age sales and would conduct test purchases at their discretion (test purchases had been temporarily unavailable/reduced due to the Covid 19 pandemic). The results were then fed to the Licensing Authority (Tendring District Council) for appropriate action if required. The Licensing Authority worked alongside internal Responsible Authorities such as the Environmental Health and Protection department.

2020 had seen the review of the premises licences for the following licensed premises by the Premises and Personal Licences Sub Committee:

Great Gurkha – A multi-agency operation led by the Immigration service with support from the Licensing Authority and Essex Police. A total of 3 illegal workers had been found to be working within the premises. The Premises / Personal Licences Sub-Committee decision was that the licence be revoked as that was not a first offence of that nature at that premises.

Truth – A review had been called by Essex Police due to the licensing objective of crime and disorder not being upheld after the premises had operated against the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 that had been applicable at the time of offence, in that it had operated as a nightclub. The Premises and Personal Licences Sub Committee's decision was that the licence be suspended for a period of three months (the maximum suspension period) and further conditions imposed - including additional SIA registered security staff, no outside music and CCTV to be held for 31 days.

Kassaba – A review had been called by Essex Police, supported by the Licensing Authority and Environmental Protection Team as Responsible Authorities, due to the licensing objectives of crime and disorder and the prevention of public nuisance not being upheld, after numerous Police attendances as a result of disturbances. The Premises and Personal Licences Sub-Committee's decision was that the licence be suspended for a period of three months and further conditions be imposed - including third party contracted SIA registered security staff, no outside music, no off sales, CCTV to be held for 31 days and a revision of opening hours (at the time of writing the respondents still had the opportunity to appeal the decision at the Magistrates' Court).

The Committee heard that several engagements and visits had been conducted at premises across the District throughout the pandemic to ensure that all were complying with the Coronavirus Regulations. Advice and liaison had been available throughout the pandemic with premises and the Licensing Authority, meaning that many potential issues had been addressed and solved in the first instance before any escalation to enforcement.

The Committee **RESOLVED** to note the report and to record the Committee's thanks to the Licensing Manager and the Licensing Team for their continued hard work throughout the Covid-19 restrictions/lockdown.

8. RECOMMENDATIONS MONITORING

The Committee **RESOLVED** to note the report.

9. SCRUTINY OF PROPOSED DECISIONS

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13, the Committee reviewed any new and / or amended published forthcoming decisions relevant to its terms of reference with a view to deciding whether it wished to enquire into any such decision before it was taken.

The Committee discussed the proposed decisions and **RESOLVED** that contents of the report be noted.

10. WORK PROGRAMME OF THE COMMITTEE FOR THE REMAINDER OF 2020/21

Members considered the Work Programme 2020/21 that outlined the scrutiny to be undertaken by the Committee in the remainder of that Municipal Year.

The Committee **RESOLVED** to note the contents of the report.

The meeting was declared closed at 10.15 pm

Chairman

Agenda Item 5

Social Isolation and Mental Health Paper

The purpose of this paper is:

- a) to set out what we are currently doing to address social isolation as a key component to tackling mental illness;
- b) how we're responding to the amplified need, specifically for key cohorts who have become increasing isolated due to COVID and its restrictions, both through formal support and building resilience; and
- c) to seek the views of HWB members as to where and what the gaps are in our approach, and the consider what remedies are available.

Summary of Issue

The impact of social isolation and loneliness on individual's physical and mental wellbeing are well known. Social isolation is recognised as a risk factor for suicide with increased risk of depression, low self-esteem, reported sleep problems and increased stress response. Loneliness is bad for the heart and a strong predictor of premature death, with people who are lonely more likely to be readmitted to hospital, have a longer stay and visit a GP or A&E.

The Impact of COVID on social isolation and loneliness

The COVID pandemic has posed significant health risks for our population; however, the risk to health outcomes extends beyond the clinical risk of COVID, the socio-economic and lifestyle factors that influence health outcomes have also been adversely disrupted during the pandemic.

COVID has also amplified and increased the pace at which cohorts of people who would traditionally be at risk of social isolation are impacted, but also it has created a new group of people who have become increasingly anxious about the disease itself and the impact on their life. For example, parents who have become increasingly isolated either due to financial impacts or the absence of informal connections through schools, people whose employment has changed through furlough, working at home or unemployment, recently bereaved who have been unable to have the normal in-person connections that support during this time.

There will also be a generation of children and young people who have been adversely affected by the pandemic and this will likely have long term impacts for their emotional wellbeing, educational outcomes and longer-term economic wellbeing.

What we have now and how it connects

The [Essex Joint Health and Wellbeing Strategy 2018 – 2022](#) identified social isolation and loneliness as a key priority. A whole system approach was mobilised in 2019 designed to connect resources across the system.

The key aims are:

- Communities have a better understanding of the impact of loneliness and how to help each other.

- There is a range of community led support to prevent and reduce loneliness and build capacity to support people to live well.
- People who are lonely, or at risk of loneliness are recognised and can access local information and support to live well.
- People with complex needs can access support to reduce loneliness and feel part of their local community.

This approach includes:

- **Commissioned services addressing social isolation and loneliness as part of their wider response to improve independence** – there are a range of ECC commissioned services that deliver specialist services to support people, promote wellbeing and help them to gain/regain independence, these include the Essex Children and Family Wellbeing Service, Alzheimer's Society - Dementia, Carers First - carers, ECL - sensory, Summit – Learning Disabilities and Autism, Futures in Mind – mental health to name but a few. Beyond this, there are a range services commissioned by CCG/health partners as well as other local programmes that address the issues of social isolation and loneliness.
- **Services directly commissioned to tackle social isolation and loneliness**
Provide, as the strategic partner to tackle loneliness, deliver a single point of access for Livewell Linkwell network support including Care Navigator Plus network (a partnership between a number of voluntary sector and community sector providers using a social prescription approach). The Rural Community Council of Essex (RCCE) as a Livewell Linkwell partner deliver the social prescribing and the social isolation model, including the United in Kind coaches – as does the West Essex Community Action Network (WECAN). Social engagement partners delivering Essex Befriends, or befriending service, includes Action for Family Carers, MIND, Mencap and independent Age.
- **Place based community care and support** – Primary Care Networks are key to integrating primary care with secondary and community services, pivotal to improving population health and taking a proactive approach to hidden needs to support. Social Prescribing Link Workers help to reduce health inequalities by supporting people to unpick complex issues affecting their wellbeing, enabling people to have more control over their lives. There is also a multitude of smaller and larger infrastructure organisations such as the Council for Voluntary Service (CVS) organisations and volunteer centres who work in a place to build community resilience and in doing so tackle loneliness.
- **Community Networks** – Faith communities play a positive role in neighbourhoods supporting those most in need, strengthening resilience, reinforcing local identity and helping to connect communities. The Essex Faith Covenant continues to drive the partnership between faith communities and public services. Parish and Town Councils as the first level of local government provide communities with a democratic voice. Networks like

these play a key role in the identification of local needs and utilising community assets to provide a structure to take local community action. The importance of Neighbourhood level schemes has emerged as an effective means to reduce loneliness and isolation during the pandemic.

The future model for tackling social isolation and loneliness

There is a need in any future model to amplify what already exists in terms of the offer to increase the connectedness and ensure that the scope of the offer addresses the needs of emerging cohorts who are becoming increasingly isolated because of COVID. An offer is needed that seeks to provide formal support alongside resilience building and encouraging conversations around isolation and loneliness, that builds on existing pathways and expertise within the system.

People's identities are being impacted and generating a negative sense of being;

- Sense of loss, shame, confusion, failure, frustration and range of other emotions leading to feelings of helplessness, a lack of confidence and self-esteem and sense of belonging.
- Leads to isolation and or loneliness and whilst might be felt in those families and areas that are more deprived, is transcending populations regardless of personal socio and economic status
- These groups include:
 - COVID recovery; long COVID sufferers,
 - minority groups; faith groups;
 - new parents; lone parents
 - young men and women
 - Those who are now unemployed or seen changes in their employment
 - The bereaved

We need to innovate responses that resonate and engage those who don't know about or those who don't know they could benefit from some support and where to get it.

Next Steps:

Health and Wellbeing Board members are asked to discuss the issues, provide their different perspectives, and consider what and where the gaps may be in the current approach.

Appendix 1: Examples of action across Essex tackling loneliness

The below table illustrates some examples of offers/actions across Essex tackling loneliness and isolation. Note, that this is not an exhaustive list.

Organisation	Offer
Provide CIC	Delivers a single point of access for the Livewell Linkwell network support - helping residents find and connect you to specialist organisations across the County.
Rural Community Council of Essex (RCCE) and West Essex Community Action Network (WECAN) – <i>United in Kind Service</i>	Dedicated United in Kind coaches in each district who are working to raise awareness of loneliness and isolation, recruiting Community Champions, developing ‘acts of kindness’ and providing communities with workshops and support to deliver their own activities.
Community360	They have been providing over 150+ calls per week to Essex residents and families feeling isolated
Rayleigh, Rochford and District Association for Voluntary Service (RRAVS)	Have worked during the pandemic with faith group leads to conduct welfare checks for the clinically vulnerable and signpost to support where needed.
Chelmsford CVS	Have offered Befriending training to COVID Support groups as a way of enhancing the community offer
Tendring CVS	Have been supporting/matching isolated people with digital buddies as well as matching people with walking buddies to help build confidence and increase physical activity.

Agenda Item 6

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

REPORT OF ASSISTANT DIRECTOR – HOUSING & ENVIRONMENT

A.2 Mitigation Measures for Impact of Public Firework Displays

(Report prepared by John Fox and Tim Clarke)

PURPOSE OF THE REPORT

To provide an update on the current position in respect of Cllr Sue Honeywood's motion to Council on 21st January 2020 in respect of public firework displays. Cllr Honeywood's motion was considered at this Committee on 28 September 2020 and discussed at Full Council in November 2020 when a further review by this Committee was requested.

INVITEES

None

BACKGROUND

Councillor Sue Honeywood's Motion to Council on 21 January 2020:

"Fireworks are used by many people throughout the year to mark different events. While they can bring much enjoyment to some people, they can also cause significant problems and fear for other people and animals.

This Council therefore resolves:

- to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people — including the precautions that can be taken to mitigate risks; and
- to encourage local suppliers of fireworks to stock "quieter" fireworks for public display."

At the meeting of the Committee on 28 September it was RESOLVED that

- a) the Committee supports Councillor S. Honeywood's motion to Council in relation to mitigation measures for the impact of firework displays;
- b) the Council should promote responsible approaches to firework displays in relation to the safety of those attending and in order to help to reduce disturbance to local communities including advance public notice of public firework displays;
- c) the Council includes an online questionnaire on its website to monitor complaints in relation to fireworks; and

d) the Committee adds this matter to its work programme and returns to it in January 2021 in order to look at the data collected.

The draft minutes of Council on 24 November 2020 when considering this item are listed below;

(a) notes that the Community Leadership Overview and Scrutiny Committee supports Councillor S A Honeywood's motion to Council in relation to mitigation measures for the impact of firework displays and further notes its suggestions that the Council should promote responsible approaches to firework displays in relation to the safety of those attending and in order to help to reduce disturbance to local communities including advance public notice of public firework displays and the production of an on-line questionnaire;

(b) notes that the promotional campaign and on-line questionnaire suggested by the Community Leadership Overview and Scrutiny Committee would fall to the responsibility of Cabinet and Environmental Health Services; and

It was then moved by Councillor Calver and seconded by Councillor Stock OBE that –

(a) Councillor S A Honeywood's original motion, as now amended at this meeting, be approved; and

(b) the Community Leadership Overview & Scrutiny Committee be requested to undertake a further examination of the issues surrounding the impact of firework displays on animals and vulnerable people and how that impact could be mitigated and paying particular regard to the matters raised by Members at this meeting with a view to reporting the outcome of that further examination to a future meeting of the Council.

Councillor Calver's amendment on being put to the vote as the substantive motion was declared CARRIED.

DETAILED INFORMATION

With the onset of the latter half of the year a number of events are traditionally marked with firework displays and from mid-October until the end of the year firework sales take place from supermarkets, some convenience stores and a growing number of temporary specialist shops.

During the pandemic organisers of firework events have had to consider the precautions necessary to reduce risk of transmission of COVID-19 infection at gatherings in outdoor areas. This has led to a number of events being cancelled.

Fireworks can only be sold at certain times of the year:

- from 15 October to 10 November
- from 26 December to 31 December
- the first day of Chinese New Year and the 3 days before it
- the first day of Diwali and the 3 days before it

Fireworks are often used in relation to cultural or religious events and can also be associated with significant family events such as weddings. The Council should also be

aware of the equality impact of controlling fireworks and to ensure that all events are treated in an equal fashion being mindful of wider diversity issues

A licence from ECC, issued under the Explosives Regulations 2014, is required in order to store up to 2 tonnes of explosives. The sale of fireworks outside of the dates above requires an all year round seller's licence in addition to the storage licence.

Fireworks and bonfire displays for various celebrations have in some instances been the cause of injuries to those attending and disturbance may be caused to local residents' families and pets and animal based business such as riding schools, kennels and catteries. This must however be balanced with the fact that there are no legal restrictions banning firework displays and that there is open sale to members of the public who can set off fireworks on their own properties and have no requirement to inform nearby residents.

There are a number of legal restrictions of a more generic nature which apply to firework displays and are set out below

- A display for a charitable or business purpose will be regarded as a work activity and therefore the person in charge must be able to competently carry out a risk assessment in order to fully consider the hazards to the safety of people attending or working on the site and the control measures that will be necessary to reduce the risks of injury so far as is reasonably practicable.
- Officers from the environmental health department are authorised to take formal action regarding breaches of the Health and Safety at Work, etc. Act 1974 regarding risks to health and safety and the Environmental Protection Act 1990 in relation to statutory nuisance from noise disturbance. As firework displays are often one off events it is extremely difficult to take action in respect of noise disturbance
- The sale of fireworks, including any product safety issue, is regulated by the Trading Standards team at Essex County Council.
- Where the display includes the sale of alcohol or any other licensable activity or is located on licensed premises the person in control of the activity must have regard to the four licensing objectives
 1. Prevention of crime and disorder.
 2. Public safety.
 3. Prevention of public nuisance.
 4. Protection of children from harm
- For single events where up to 500 people are involved (spectators and staff included) a Temporary Event Notice will be required

For events where in excess of 500 people are likely to attend or if it has lower numbers but is a significant event, it may be referred to the Tendring Safety Advisory Group. This Group which is led by the Council and also has representatives from partners such as the emergency services and Essex County Council seeks to assist event organisers to undertake events safely by providing advice and guidance.

Any breaches identified would be dealt with directly by the enforcement body which sits on the Group if agreement could not be reached with the organiser. The Safety Advisory Group of itself cannot veto any event occurring. There is also no requirement to attend a Safety Advisory Group so again this is a voluntary issue for organisers of events.

What the Council Cannot Enforce

In terms of the request to Council in Cllr Honeywood's motion the Council has no legal enforcement powers to undertake this work and so any request to organisers would be on a completely voluntary basis for the organiser to comply.

- **Advertising Events** - the Council has no powers to require organisers of public events to advertise their event prior to it occurring. However by their very nature public events are routinely advertised to ensure they get sufficient attendance and on this basis nearby residents are also likely to be aware. In addition where an event attends the Safety Advisory Group and where there is potential disturbance to neighbours likely to occur, for example for fireworks or provision of music, then advice is given to contact neighbours to make them aware. This is only advice and good practice and cannot be enforced.
- **Animal disturbance** - In the last year there have been a number of complaints in terms of fireworks potentially distressing animals such as horses and on that basis that an event should not take place. Reference has been made to the Animal Welfare Act 2006 which under section 4 makes it an offence to cause an animal to suffer. On the basis that any individual can set off fireworks at their property as a private individual and it is not regarded as an offence in terms of neighbours pets, the relative infrequency of major public events which tend to operate in early November or on significant dates, and the lack of specific legislation which bans public firework events it is not considered an offence by an event organiser to hold a firework event.

Other Actions

As per the motion the Council can determine whether it wishes to run a publicity campaign in relation to fireworks.

Both the timing of the campaign and content would need to be considered to ensure an effective message was provided at the correct time.

An event proposed within Tendring for November 2020 was subsequently cancelled when a social media campaign was started, originally in terms of distress to animals, which then developed and resulted in personal threats to the event organiser and potential threats to anyone who attended the site. Therefore any message provided needs to be balanced highlighting what is permitted but encouraging achievement of high standards.

Within this campaign the benefits of quieter fireworks could also be identified. However this would only be on a voluntary basis by event organisers

The Council has a presence on social media sites for disseminating advice and information which has been found to be effective in reaching significant numbers of people in the area and could be used to promote messages in respect of firework displays

RECOMMENDATION

That the Committee recognises the limited enforcement powers available to the Council in relation to fireworks displays and supports a publicity campaign to raise awareness .

Agenda Item 7

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

Report Reference for this Committee: A.3

Key Decision Required:	NO	In the Forward Plan:	NO
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CABINET

29 JANUARY 2021

REPORT OF THE LEADER OF THE COUNCIL

A.6 **PRIORITY ACTIONS FOR 2021/22 AND MONITORING DELIVERY OF THOSE ACTIONS**

(Report prepared by Keith Simmons and Lisa Hastings)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To invite Cabinet to determine its provisional key priority actions for 2021/22 and the means by which performance against the priorities will be monitored and reported on in that year. Cabinet is further invited to approve that consultation on these key priority actions and the performance monitoring proposals be undertaken with the Overview and Scrutiny Committees. The outcome of the consultation would then be reported to Cabinet on 19 March 2021.

EXECUTIVE SUMMARY
The Council approved a Corporate Plan for 2020/24 and this established its strategic direction for those four years. That strategic direction itself seeks to reflect the issues that matter most to local people, the national requirements from Government and the challenges that face the District over that time period. The Corporate Plan was adopted unanimously at the Council meeting on 21 January 2020 (Minute 78 refers). The themes of the 2020/24 Corporate Plan are: <ul style="list-style-type: none">• Delivering High Quality Services• Building Sustainable Communities for the Future• Strong Finance and Governance• Community Leadership through Partnerships• A Growing and Inclusive Economy Cabinet establishes each year its priority actions to deliver against the Corporate Plan and thereby ensure that the ambition of that Plan is central to its work. The priority actions do not cover every separate element of the ambition of the four year Corporate Plan; nor are they intended to indicate that other projects, schemes or activities are not being pursued. They are though intended to reflect imperatives across the Council and for the District and actions that it is right to focus on in this year.

2020 was an exceptional year not only nationally but globally. In Tendring our Community Leadership role has never been more important. Working with our members we took on additional responsibilities in supporting our residents and businesses through the COVID-19 pandemic. Whilst Tendring District Council did not formally report on its performance against priorities during 2020, much was achieved including but not limited to:

- The roll out of numerous grants in excess of £38million to businesses
- The adoption of a local Back to Business Agenda which not only supports businesses to survive but preparing to help them flourish.
- An Economic Growth Strategy focusing on recovery for the future.
- Allocation of monies from the Tendring Community Fund to Ward Councillors to provide grants to local organisations to enable them to respond to the pandemic locally.
- Business continuity arrangements immediately being invoked to ensure Council services remained in place where they were able to do so and for those services impacted by the various lockdowns, staff were redeployed to work with different teams in response to the pandemic, such as the Community Hub.
- Adoption of a Climate Change Action Plan to meet the Council's aspirations towards the Climate Emergency.
- Section 1 of the Local Plan was found sound by the Planning Inspectorate establishing the 5 year housing supply of 550 dwellings per annum, a North Essex vision and the Garden Community at Tendring Colchester Borders
- A balanced budget and revised governance arrangements to ensure democratic decision making continued throughout.
- Getting ready to build or acquire new council homes. We adopted a Corporate Housing Strategy to deliver homes to meet the needs of local people, making the best use of and improving existing housing and supporting people in their homes and communities. Separate strategies and polices were introduced to assist reducing homeless and rough sleeping in the district, providing financial assistance polices for private sector housing and acquiring land and buildings to increase council housing stock.

All of these provide a great foundation on which the Council will continue to deliver its priorities on the remaining years of the Corporate Plan. The 2021/22 actions will, of themselves, underpin further actions in 2022/23. As such, it is appropriate to invest time and energy to delivering them.

A provisional list has been prepared following consultation with individual Portfolio Holders and the Leader of the Council and this is set out at Appendix A to this report.

RECOMMENDATION(S)

- (a) That the provisional key priority actions for 2021/22, as set out at Appendix A to this report, be considered and, if appropriate, adopted by Cabinet**
- (b) That the means by which performance against the priorities will be monitored and reported on in that year be determined on the basis set out in Appendix B to this report.**
- (c) That consultation on the adopted provisional key priority actions referred to in (a) above and the performance monitoring proposals referred to in (b) above be undertaken with the Overview and Scrutiny Committees in February 2020.**

(d) That the outcome of the consultation with the Overview and Scrutiny Committees referred to in (c) above be reported to Cabinet on 19 March 2021 in order that Cabinet can formally adopt its finalised key priority actions for 2021/22.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The key actions set out at Appendix A seeks to deliver in the year 2021/22 on the ambitions of the four year Corporate Plan. Other actions in 2021/22 will also be undertaken as the Council applies the strategic direction of the Corporate Plan to its work overall. In addition, Cabinet will establish a further set of key actions for 2022/23 to further advance achievements against the Corporate Plan.

FINANCE, OTHER RESOURCES AND RISK

The provisional key actions set out at Appendix A includes the delivery of the financial savings target within the Medium Term Financial Strategy. In considering all matters it is vital that the balance of resources can be accommodated by this Council and that it does not put further strain on the Council being able to balance its budget each year.

A key risk as Cabinet prepares its key actions for 2021/22 is the continuing impact of the Covid-19 pandemic and the restrictions imposed to address the pandemic. These risks will need to be assessed in a dynamic way as infection and hospitalisation rates change and the restrictions are adjusted over time. There may yet be further work for the Council to achieve, such as new grant schemes, as there has been in 2020/21 and this too will impact on the capacity of the Council to achieve the Cabinet's adopted key actions.

LEGAL

The legal implications of individual actions will be assessed when they are brought forward for formal decisions to be made.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

In preparing this report, due regard has been given to the likely effect of the exercise of the Council's functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. In addition, due consideration has been given to the District Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The proposals set out in this report have been anchored in the findings from the last Peer Challenge Review of the Council.

In 2018, through the Local Government Association, the Council benefitted from a ‘Peer Challenge Review’. Peer Challenges provide a robust and effective improvement tool managed and delivered by the local government sector, for the sector. Peers are at the heart of the peer challenge process and provide a ‘practitioner perspective’ and ‘critical friend’ challenge. The Review considered five key strands that all Peer Challenges cover:-

- Understanding of the local place and priority setting
- Leadership of place
- Financial planning and viability
- Organisational leadership and governance
- Capacity to deliver

Following the Peer Challenge Review, the Council was recommended to:

- Improve how we tell the story of what we are achieving
- Devise an approach to programme management and project delivery
- Bring the four strands of transformation – customers, property, digital and people – together
- Review how we deal with underspends, savings and financial risk and look at the phasing of our capital programme
- Add housing as a strand to our community leadership focus alongside education, health and community safety
- Be confident in our plans for Jaywick

In respect of programme management and project delivery the following detailed recommendations were identified to strengthen governance:

- Be clear from outset of projects re desired outputs / outcomes.
- Establish a clear decision making process re priorities / projects and ensure it is understood by members, staff and partners.
- Develop a TDC approach to Project Governance – e.g. business cases, PID, risk, dependencies, budget, tolerances, milestones, performance management.
- Set out clear “golden thread” to members / staff / partners linking Corporate Plan, annual priorities, budgets, performance monitoring.
- Quarterly Performance report should cover all Cabinet priorities and projects.
- Strengthen role of Members on Performance Management - ensure new O+S arrangements add value and align strongly with key priorities and projects.

Building on the changes made already since the Peer Challenge Review, the proposals now submitted seek to:

- Ensure that success measures and key milestones for delivery are built into the project/priority before it is/they are approved so that implications for resource allocation and other consequences can be factored in.

- Align the Cabinet’s Annual Priority Actions with the Budget approval process and thereby to clarify decision making. Likewise the six monthly review provides the opportunity to reset projects/priorities to take account of events.
- Strengthen further project governance by giving greater clarity as to the measures of success and the key milestones in delivery of the Cabinet’s priority actions.
- Link back the annual priority actions are to at least one Corporate Plan Priority Theme. The golden thread approach is further enhanced through the alignment with the budget timetable to ensure there is clarity that both have been developed to the same aim around achieving the Corporate Plan.
- Cover all Cabinet approved Priority Actions in the Quarterly reporting to Portfolio Holders and then publishing that data.
- Enhancing the role of Members in Performance Management so that OSCs will be free to review and scrutinise individual matters through bringing forward those matters in a more timely way following publication (one month after the end of the quarter concerned). And otherwise ensuring that review items approved for the OSC work programme include relevant performance data.
- Requiring OSC’s, in submitting their work programmes each year to Council, how the items in the work programme address the Corporate Plan ambitions.

CURRENT POSITION

For the reasons set out here it is opportune to revisit the development of Priority Actions on an annual basis within the ambition of the Corporate Plan.

The Cabinet priorities for 2019/20 were, for obvious reasons, delayed due to the ‘all-out’ elections to the Council in May that year and then by the postponed elections for St Osyth Ward. It was also necessary to refresh the Corporate Plan and adopt a new Plan for 2020-24. The impact then of the Covid-19 Pandemic from early 2020 meant there was further disruption to the implementation of new performance management arrangements to enhance policies, procedures and practices at the Council to take further the recommendations from the 2018 LGA Peer Challenge Review recommendations.

In addition, there is a recognised need for performance data on the Cabinet’s key annual priority actions to be provided in a timely way to the relevant Portfolio Holders and then on to the ‘critical friend’ in the Council’s Overview and Scrutiny Committees.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

A – Provisional Key Actions for 2021/22 in support of the Corporate Plan themes
 B - Monitoring Delivery of the Corporate Plan Priority Themes and the Cabinet’s Annual Key Priority Actions

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Tending District Council's Highlight Priorities Corporately for 2021/22

[Note - These are drawn from the wider set of actions identified in the relevant theme of the Corporate Plan Priorities Actions]								
Relevant Corporate Plan Priority Theme	Highlight Priorities for 2021/22	Detail for 2021/22	Included in Highlighted Priorities	Budget	Lead Officer	PFH	Milestones	Outcome
Delivering high quality services	A7 - Carbon Neutral by 2030	To deliver key actions identified in the Climate Change Action Plan	*	(i) £43K for surveys	(i) Andy White	Cllr. Michael Talbot	(i) - 31 December 2020 – Energy Audits commissioned and commenced - 28 February 2021 - First Energy Audit reports submitted - 30 April 2021 - SALIX Funding bids prepared (ii) Renewal date to be inserted for 2021-100% renewable energy purchased at next contract renewal (iii) 30 April 2021 - Options scoped out on solar Photo-voltaic options for council housing and other council buildings (iv) 31 December 2021 - Options appraisal completed in respect of developing a council owned solar farm in the district	(i) Reduction carbon emissions and energy cost savings (ii) Reduction in carbon emissions (iii) Detailed options ready for decision making (iv) Detailed options ready for decision making
		(a) Buildings & Energy		(ii) Existing budget – potential increase in contract (iii) Within existing budgets (iv) £10K consultancy fees	(ii) Richard Barrett (iii) Andy White (iv) Andy White			
		(b) Procurement		(i) Within existing budgets (ii) Within existing budgets	(i) Richard Barrett (ii) Richard Barrett		(i) 31 October 2021 -Updated procurement guidance and contractual terms completed (ii) 31 October 2021 - Recording and performance monitoring framework in place	(i) Procurement includes robust carbon impact assessments and performance measures – reduction in Scope 3 emissions (ii) Ongoing monitoring of emissions created by contractors
		(c) Supporting staff and councillors		(i) Within existing budgets / £5K for training material (ii) Within existing budgets	Anastasia Simpson		(i) 31 December 2021 - Carbon literacy training delivered to staff and Cllrs (ii) 31 December 2021 - New home working and travel guidance in place	Increased staff and Member awareness of climate issues

	(d) Addressing Tendring-wide emissions Develop and publish a collaborative action plan and/or form an alliance with all partners that seeks to use our combined powers, duties, influence and leadership to work with others towards the net zero ambition for emissions from all of Tendring.		Within existing budgets	Tim Clarke		31 March 2022 - Action plan / alliance formed	Clear policies and protocols around reducing emissions associated with travel
A6 - Effective Regulation and Enforcement	(a) To introduce a revised process for the issue, payment and appeal of Fixed Penalty Notices	*	To be met from within existing budgets	Russell Cole	Cllr. Giancarlo Guglielmi	30 April 2021 - Fixed Penalty Notices and associated policy available to all accredited officers. 31 July 2021 - Community Safety Accreditation Scheme (CSAS) training delivered to additional officers to increase internal capacity and refresher training provided to existing CSAS accredited staff. 31 October 2021 - Briefing note to Corporate Enforcement Group evaluating the effectiveness of the activity and reviewing options linked to streamlining the process and consideration of a more automated solution, if achievable.	Effective enforcement action resulting in reduced environmental crime and Anti-Social behaviour and safer, cleaner, more attractive town centres, communities and spaces across the district.
	(b) To manage and plan for anticipated increase in seasonal challenges across the district between May and September 2021 due to a high volume of visitors.		To be met from within existing budgets	Russell Cole	Cllr. Giancarlo Guglielmi	30 April 2021 - Develop a tactical "summertime" partnership plan and disseminate to internal and external stakeholders 30 June 2021 - Briefing note to Corporate Enforcement Group evaluating activities/outcomes and lessons learned over the Easter and May Bank holidays 31 October 2021 - Briefing note to Corporate Enforcement Group evaluating activities and outcomes during the peak summer period	A reduction in the issues witnessed during 2020 as a result of increased visitors to our seafronts, town centres and other public spaces
	(c) To introduce re-deployable (mobile) CCTV capacity for enforcement purposes		£50K	Russell Cole	Cllr. Giancarlo Guglielmi	30 April 2021 - Briefing note to Corporate Enforcement Group to secure agreement for the funding of equipment and setting out proposed deployment guidelines 30 September 2021 - Equipment procured and deployable in accordance with adopted deployment guidelines 31 December 2021 - Briefing note to Corporate Enforcement group evaluating incidences of crime in deployment locations and local satisfaction rates	Targeted surveillance which will assist in the detection and prevention of crime and the collection of evidence for prosecutions resulting in safer, cleaner spaces and communities for residents and visitors.

Relevant Corporate Plan Priority Theme	Highlight Priorities for 2021/22	Detail for 2021/22	Included in Highlighted Priorities	Budget	Lead Officer	PFH	Milestones	Outcome
Building Sustainable Communities	B2 - Jaywick Sands - more and better housing; supporting the community	Deliver the Jaywick Sands Covered Market and Commercial Space The intention is to construct 13 affordable rent business units offering 9,500 sq.ft lettable area and a covered local market of 10 affordable pitches. Alongside this, the public realm in the area will be improved including the creation of a new community garden and a multipurpose hard landscaped area which can be used for outdoor markets and seasonal events.	*	£2.128M for full project comprised of: £106K from this Council (including capital and revenue costs in first year of operation) £50K from Essex CC for regen of market site and public realm £1.972M from SELEP – to be spent by March 2022	Mike Carran	Cllr. Mary Newton	30 April 2021 - Planning Application submitted 31 July 2021 – Contractor procured 31 August 2021 – Construction commences 28 February 2022 – Handover to the Council	<ul style="list-style-type: none"> Around 40 FTE jobs will be directly created and brought into the area at c£20kpa with an additional economic impact to the local economy of £1.7m per annum Indirect and induced impacts are estimated to comprise around 16 FTE jobs
	B6 - Effective planning policies	Implementation of Local Plan Part 1 following Inspector's approval and move to formal examination of Part 2 Formal adoption of the modified Section 1 Plan in January 2021 will enable the Council to maintain a 5 year supply of housing, progress work on the Garden Community Development Plan Document (DPD) in partnership with Colchester BC and allow the examination of Section 2 of the Local Plan (containing policies and proposals specific to Tendring) to proceed in 2021.	*	£750K (of which £150K already committed) to cover consultancy, temporary staffing and examination costs for the Local Plan and which will be utilised, in part, for work on the Garden Community DPD and the statutory stages of Neighbourhood Plan production. £175K base budget per annum to fund continued work on the Local Plan, future reviews and associated work.	Gary Guiver	Cllr. Neil Stock OBE	26 January 2021 - Adoption, by Full Council, of Section 1 of the Local Plan for North Essex following the Planning Inspector's final report and recommended modifications. 4 March 2021 – Complete examination hearings for Section 2 of the Local Plan (for Tendring) (provisional). 30 September 2021 - Receipt of Inspector's Section 2 report and consultation on modifications. 31 March 2022 – Adoption of Section 2 Local Plan.	<ul style="list-style-type: none"> 11,000 new homes and 9,800 jobs between 2013 and 2033 including early phases of development at the Garden Community. £99million government (HIF) investment in the A120/A133 link road and rapid transit system. Protection against unwanted and speculative development proposals that run contrary to the Local Plan. Establishment of the foundations for future review of Local Plan, Neighbourhood Plans and regeneration projects in Jaywick Sands, Clacton, Dovercourt and other locations. Establishment of statutory development plan for the purposes of seeking and securing additional public and private funding.

B5 - Building and managing our own homes	Delivering 10 more Council homes	*	(a) and (b) Existing Service Budget (c) Existing Service budget and c£2M per annum	Tim Clarke, Andy White, Damian Williams	Cllr. Paul Honeywood	(a) 31 October 2021 (b) 31 December 2021 (c) As and when opportunities arise	(a) Identify a future pipeline of development sites (b) Plans prepared for suitable development sites, including property archetypes and specifications. To meet the identified housing needs in the locality of the site. (c) Suitable properties purchased and brought into the housing stock.
	(a) Complete a review of the Housing Revenue Account estate and identified surplus property to identify any potential development or intensification sites.						
	(b) In respect of sites identified as suitable for development, draw up plans for the housing that could be developed on them ready for financial consideration and planning approval.						
	(c) Continue with a programme of property acquisitions where suitable existing (such as ex RTB stock) or new build housing, available for purchase, is identified as suitable to bring into the housing stock. This may include design and purchase arrangements with local						
	(d) Identify and approve funding arrangements to facilitate construction and acquisition	*	TBC: c£2M per annum	Richard Barrett	Cllr. Giancarlo Guglielmi	30 June 2021	Identify a budget for acquisition/development
	(e) Establish a revised team structure for the carrying out of housing and other construction projects	*	Subject to restructure	Andy White, Damian Williams	Cllr. Paul Honeywood	31 October 2022	Establish a team for acquisition/development
B3 - Vibrant Town Centres	Deliver the Starlings Project This project will establish improved Public Realm and Car Park at the Starlings site on the Dovercourt High Street. Delivery will encourage and foster economic growth through enhanced, invigorated and focussed business activity and improve the appearance of one of the District's key town centre locations.	*	£1.595M for land acquisition and development. Of which approximately £600K will be for construction.	Mike Carran	Cllr. Mary Newton	28 February 2021 – Award contract 1 July 2021 – Commence Construction 30 November 2021 - Completion	<ul style="list-style-type: none"> Creating confidence in the development market, and encouraging private sector investment; Giving the town's existing traders the confidence to invest in their businesses and in their property; Creating new public realm and amenity space, providing the opportunity for greater animation thereby creating a more vibrant town centre; Bringing back into productive use a vacant and derelict site, which currently blights the town and has a negative impact on Dovercourt High Street;

Relevant Corporate Plan Priority Theme	Highlight Priorities for 2021/22	Detail for 2021/22	Included in Highlighted Priorities	Budget	Lead Officer	PFH	Milestones	Outcome
Strong finances and governance	C1 - Balanced annual budget	<p>Deliver the savings required in this year</p> <p>To develop a framework against which savings proposals can be identified for inclusion within the long-term forecast.</p>	*	<p>To achieve on-going savings equal to at least the £250K allowance currently included within the long term forecast.</p>	Richard Barrett	Cllr. Giancarlo Guglielmi	<p>31 March 2021 - To agree the framework with MT and Cabinet against which savings opportunities can be identified and explored</p> <p>31 April 2021 – Directors / Assistant Directors to have actively commenced the process of exploring savings ideas and opportunities within the framework agreed.</p> <p>31 July 2021 – MT/ PFH's – Initial review of the proposed savings generated to date and the key milestones to enable them to be implemented.</p> <p>31 October 2021 – The savings ideas and opportunities identified for implementation in 2022/23 be agreed by MT/ PFH's for inclusion in the budget.</p> <p>Work to remain on going in respect of potential savings opportunities that may not be able to be implemented until 2023/24 and beyond.</p>	<ul style="list-style-type: none"> The required level of savings set out in the long term plan are successfully delivered over the remaining years of the forecast.

Relevant Corporate Plan Priority Theme	Highlight Priorities for 2021/22	Detail for 2021/22	Included in Highlighted Priorities	Budget	Lead Officer	PFH	Milestones	Outcome
A growing and inclusive economy	D2 - Support existing businesses	To deliver the key actions identified as part of the Back to Business Agenda Complete and deliver a Council wide plan to support the District's recovery from the ongoing Covid-19 pandemic, to be targeted at improvements to the District's environment/quality of life and support for our residents, businesses and wider local economy.	*	£862K will cover a series of District wide projects	Mike Carran	Cllr Neil Stock OBE	29 January 2021 - Adoption of Delivery Plan 30 March 2021 – Money distributed to mental health services to enable more young people to access professional support 31 August 2021 – Complete refurbishment of Clacton Skate Park	<ul style="list-style-type: none"> Positive impact on the local economy and business confidence Increase in the number of young people accessing Clacton Skate Park Increase in the number of young people accessing mental health services
	D4 - Promote Tendring's tourism, cultural and heritage offers	To deliver the range of activities to celebrate Clacton 150 in conjunction with partners 2021 marks the 150 th anniversary of Clacton on Sea. The Council have been successful in applying for £250k to develop plans for a number of projects to mark this occasion and use it as a means to stimulate the local economy at the start of the key tourism season.	*	£250K, which is fully funded by the National Lottery Heritage Fund.	Mike Carran	Cllr. Alex Porter	28 February 2021 – Employ two designated members of staff to oversee this project 1 April 2021 – Install a new heritage trail from Jaywick Sands to Holland Haven 31 May 2021 – Organise a launch event for Clacton 150 (subject to national guidelines at that time)	<ul style="list-style-type: none"> Increase the number of visitors to the District's seafronts Increase in volume and value to the local tourism economy
		To deliver the range of activities to celebrate the Mayflower 400 in conjunction with partners 2020 marked the 400 th anniversary of the sailing of the Mayflower to America. Harwich played a key role in this story and the Council has been working with partner destinations around the country to create a new visitor trail, to promote to the American travel trade. Due to the Covid-19 pandemic, the international tours scheduled for 2020 were postponed and will now take place in 2021 and beyond. The Harwich trail is now complete and the 3 physical attractions will open in 2021, as soon as restrictions allow.	*	£30K for the Mayflower Illuminate Festival The budget for the series of Mayflower attractions has been spent, as all the projects are now complete. There is no further budgetary provision required.	Mike Carran	Cllr. Alex Porter	30 April 2021– Open the house of Christopher Jones and the Mayflower Visitor Centre (subject to national guidelines at that time) 30 April 2021 - Complete the Harwich Mayflower Heritage Trail 31 May 2021 – Organise the Harwich Illuminate Festival (subject to national guidelines at that time) 30 Sept 2021 – Together with partners and the travel trade, organise a structured series of tours for visitors.	<ul style="list-style-type: none"> 10 travel operators bringing visitors to Harwich for the Mayflower exhibitions Increase in volume and value to the local tourism economy Create relationships with travel trade to develop new markets

Relevant Corporate Plan Priority Theme	Highlight Priorities for 2021/22	Detail for 2021/22	Included in Highlighted Priorities	Budget	Lead Officer	PFH	Milestones	Outcome
Community Leadership	E5 - Sport England and Active Essex- for physical activity and wellbeing	<p>Sport England Local Delivery Pilots and the delivery of a number of key schemes to improve physical activity within the District</p> <p>The Council is working with Active Essex and partners in Colchester and Basildon to build healthier, more active communities in those respective Districts, through the Sport England Local Delivery Pilots Scheme focussing on deprived areas.</p>	*	<p>£1.6M initially allocated as available to spend within Tendring including for community hubs, a community chest, test and learn, scale and replicate and community infrastructure</p>	John Fox	Cllr. Lynda McWilliams	30 June 2021 – Deliver the first 120 bikes roll out to the community as part of the Essex Pedal Power project in Jaywick and West Clacton which includes SELEP funding of £600K for bikes. (There is also a wider infrastructure project with £1.7M SELEP funding).	Increase cycling and active travel and providing an opportunity for residents to access employment and cheaper food at supermarkets improve their physical health and therefore reduce pressure on services
							30 June 2021 – work with Heritage Lottery Fund Clacton 150 project around a pump track feasibility study for a site in Jaywick and gamification project to get people active	Increase physical activity to improve health including mental health and increase number of people accessing the coast
							30 September 2021 – deliver an older persons outdoor gym in Holland/Clacton area to support in maintaining mobility for older people	Provide physical opportunity for older people to help support improving strength and balance and to encourage people to access the site

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Monitoring Delivery of the Corporate Plan Priority Themes and the Cabinet's Annual Key Priority Actions

The overarching strategic direction of the Council is encapsulated in the themes of the 2020/24 Corporate Plan are:

- Delivering High Quality Services
- Building Sustainable Communities for the Future
- Strong Finance and Governance
- Community Leadership through Partnerships
- A Growing and Inclusive Economy

More detail of how the framework the Council operates in and how it will seek to deliver its legal obligations and ambition of the Council for the District are set out in a range of key Strategies and Policies, including:

- Transformation Strategy
- Back to Business
- Housing Strategy
- Tendring 4 Growth
- Tourism Strategy
- Heritage Strategy
- Culture Strategy
- Asset Strategy
- Corporate Enforcement Strategy
- Local Plan
- Climate Change Action Plan
- Economic Growth
- Leisure Strategy
- Equality and Diversity Policy

Together the Corporate Plan and the key Strategies and Policies of the Council provide the direction of the Council across its many service areas, namely:

- Property and Asset management
- coast protection,
- council housing and assistance to private sector,
- customer services,
- economic development and growth,
- electoral registration/elections (providing resources to the Electoral Registration Officer/Returning Officer),
- local planning, land charges and building control,
- environmental health,
- off-street car parking,
- refuse collection and recycling,
- cemeteries and crematoria,
- leisure services,
- public realm,

- port health authority,
- public conveniences,
- street cleaning, and
- tourism.

The Council is responsible for its own performance and for leading the delivery of improved outcomes for local people in the District. Performance data gives the Council the best chance of improving its services by understand its own strengths and areas for improvement and take steps to deal with any problems.

Performance information has many audiences, including senior managers, Portfolio Holders/Cabinet, Overview and Scrutiny, other partners of the Council and the wider public/businesses who receive services from the Council. Ensuring appropriate information is gathered is as important as making it available in a timely way to support consideration of it.

In so far as the Cabinet's Annual Key Priority Actions are concerned, the following approach is proposed:

1. Proposals must have a description of the action for the year in question, the milestones towards achieving the action, the intended outcome, the budget and who is the responsible senior manager and Portfolio Holder.
2. Initial draft proposals for the Annual Key Priority Actions for the following financial year will be considered at the meeting of Cabinet that also considers the Initial budget for the Council for the same year (in December).
3. The Proposals will be considered by Overview and Scrutiny Committees and views submitted on the initial draft proposals.
4. The finalised Proposals for the Annual Key Priority Actions for the following financial year will be considered at the meeting of the Cabinet that also considers the draft budget for the Council for that same year (at the end of January). This will include Quarter 3 report on performance against the Annual Key Priority Actions for the current year.
5. Following the adoption of the Annual Key Priority Actions, the performance triggers will be built into the performance monitoring system of the Council based on the milestones approved as part of those Priority Actions.
6. Officers will report to the relevant Portfolio Holder on delivery of the Priority Actions and Portfolio Holders will determine, by exception, if issues need to be reported to Cabinet throughout the year.
7. Each quarter, a summary report on delivery against all of the Cabinet's Annual Key Priority Areas for the year will be reported to Portfolio Holders and then published as part of the Council's transparency data. Overview and Scrutiny Committee members may then identify specific key actions where there is performance against relevant milestones that should be subject to further enquiry and these may then be referred to the next relevant meeting of the Committee.
8. A half yearly report on performance against the Annual Key Priority Actions will be submitted to the relevant Cabinet Meeting (in October). This not only enables the Cabinet to consider the delivery of key actions in that year but also to encourage the start of the process to set key actions for the following financial year.
9. The half yearly report will be available for Overview and Scrutiny Committees to include in their work programmes so as they can consider the likely achievement of the envisaged outcomes envisaged.
10. The Outturn position on performance against the Cabinet's Annual Key priority actions for the previous financial year will be timed to be reported to the Cabinet Meeting at which budget Outturn for that year will be reported.

In addition to the performance data on the above Annual Key Priorities, data is also provided to Government Departments on a range of services. This will be gathered corporately and reported as part of the transparency data (excluding personalised data provided – and in these cases a numerical summary will be collated). As the data concerned is already provided annually, half yearly, quarterly or more frequently to Central Government, the collation of the information will involve limited additional work. For items that are provided to Central Government more frequently than quarterly we will collate a snapshot of the data at that point in time. Other than data provided to Central Government, there is information such as the number of Ombudsman complaints (and upheld) and planning appeals (and dismissed) which will be held corporately and contribute to the overall performance of the Council. This will be published annually as part of the Council's commitment to transparency. It will also be available to be reported on when items are to be submitted on the services/functions to Cabinet or a relevant Committee.

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Agenda Item 8

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

Report Reference for this Committee: A.3

Key Decision Required:	NO	In the Forward Plan:	YES
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CABINET

29 JANUARY 2021

REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER

A.7 PROTOCOL FOR CABINET AND OVERVIEW & SCRUTINY ROLES

(Report prepared by Lisa Hastings and Keith Simmons)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

This report asks Cabinet to approve the draft Protocol for Cabinet and Overview and Scrutiny roles, which has been produced following consultation undertaken with the Chairman of the relevant Committees and Portfolio Holders for recommendation onto the Overview and Scrutiny Committees and full Council for adoption and incorporation into the Council's Constitution.

EXECUTIVE SUMMARY

In May 2019, Statutory Guidance was published by the Ministry of Housing, Communities & Local Government in May 2019 on Overview and Scrutiny in Local and Combined Authorities. The Council in operating a Leader and Executive Governance Model must have regard to it when exercising their functions and should be followed unless there is a good reason not to in a particular case. The Guidance is attached as Appendix A to this Report.

Section 2 of the Government's Statutory Guidance refers to Culture and expressly states

"The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.

While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.

Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.

Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often

considered by external bodies such as regulators and inspectors, and highlighted in public reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.”

The Guidance recommends an ‘executive-scrutiny protocol’ to help define the relationship between the two arms of the organisation, dealing with the practical expectations of scrutiny committee members and the Executive, as well as the cultural dynamics. Councils should consider adopting a protocol, e.g. formal agreement at scrutiny committees and Cabinet, then formal integration into the Council’s constitution.

The Council already has strong measures in place to demonstrate the openness of Cabinet being held to account and introduced some time ago that Group Leaders of all political groups would have the right to attend Cabinet meetings, speaking on agenda items although not being able to vote. The Terms of Reference of the Resources and Services Overview and Scrutiny Committee state that the position of Chairman and Vice-Chairman will normally be a Member of a political group not represented on the Cabinet. Informal Group Leaders meeting are also held at which the Leader or Deputy Leader can share information in advance of going to Cabinet or other topics, which proved particularly useful during the Council’s response to the COVID-19 pandemic. The Chief Executive holds regular All Member Briefings, at which Portfolio Holders have presented ideas on early strategies and policies for discussion. And furthermore the Deputy Leader chairs a Constitution Review Working Group, whose membership is made up by all other political Groups of the Council

As previously requested by Cabinet, Senior Officers produced a draft Protocol for Cabinet and Overview and Scrutiny roles for consultation with Chairman of Overview and Scrutiny and Audit Committees and the Deputy Leader and Portfolio Holder for Partnerships. The Statutory Guidance has been considered in the production of the draft Protocol together with taking into account comments received through consultation.

The draft Protocol introduces a number of principles and how it applies between the roles of Cabinet and Overview and Scrutiny building upon a relationship of trust whilst both bodies are performing their statutory functions, acknowledging the inter-relationship with Audit too. It is designed to sit alongside the range of other commitments to openness and inclusiveness set out above.

The draft Protocol sets out how Policy Development Overview and Pre-Decision Scrutiny can work in addition to the traditional views of solely holding the Cabinet to account. The importance of timely overview and scrutiny in budget setting and monitoring throughout the year is highlighted to show how the process can add value, by reviewing whether the financial plans and strategies of the Council are sound and have taken into consideration all relevant factors.

Performance Measurement and reporting provides insight into whether value is being achieved and whether improvements are necessary, feasible and affordable. The purpose of reporting general performance data to an Overview & Scrutiny Committee enables scrutiny as to capturing the right level of data to support delivery of services or priorities – and to make recommendations, if necessary. In some instances further enquiry of an activity may be warranted and the Committee will factor how that work can be accommodated in the Committee’s work programme.

Through its work programme the Overview and Scrutiny Committees will consider the Cabinet’s adopted priorities in support of the Council’s Corporate Plan, areas of planned policy development over the relevant Municipal Year (and the next) will be provided and

they will be asked to highlight any areas where overview & scrutiny may be specifically invited to assist in work (including Community Leadership areas). The enquiries included within the work programme shall be identified to add value to the Council as a whole and the district. The allocation of enquires to specific Overview and Scrutiny Committees in accordance with their respective terms of reference.

The draft Protocol also refers to how Overview & Scrutiny recommendations to the Cabinet will be dealt with including seeking further clarity if needed.

Some additional operational matters have been included for completeness in determining the relationship covering responding to urgent items of Cabinet Business, Scrutiny Consideration of Confidential Decisions, Call-in and Councillor Call to Action which builds upon the existing requirements within the Constitution.

With due regard to the Council's Statement on Council development, training will be made available for Overview & Scrutiny Committee members, Cabinet Members and Officers in support on the Protocol and elements referenced in it including work planning, budget scrutiny, using performance data and key lines of enquiry.

In the Overview & Scrutiny Annual Report submitted to Full Council each year there will be a section demonstrating the impact of Overview & Scrutiny and effectiveness of the Protocol.

All Members will be expected to adhere to the Protocol in their respective roles, once formally adopted by Council, the Protocol will be incorporated within Part 6 of the Constitution.

RECOMMENDATION

That Cabinet:

- (1) Approves the draft Protocol for Cabinet and Overview and Scrutiny roles, as set out in Appendix B to this report;**
- (2) Recommends the Protocol to both Overview and Scrutiny Committees for agreement; and**
- (3) Recommends to Council that the Protocol is adopted for inclusion within Part 6 of the Council's Constitution.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Agreeing the proposed changes will ensure that the Council demonstrates good governance and operates efficiently in pursuit of its priorities.

FINANCE, OTHER RESOURCES AND RISK

Risk

Providing clarity through clear protocols approved by both Cabinet and Overview and Scrutiny Committees and thereafter contained within the Constitution enhances positive relationships and the Council's overall governance arrangements.

LEGAL

Overview and Scrutiny Committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the Executive could hold the Executive to account for the decisions and actions that affect their communities.

Overview and Scrutiny Committees have a range of statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and Scrutiny Committees can also play a valuable role in developing policy. The requirement for local authorities in England to establish Overview and Scrutiny Committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.

The Statutory Guidance has been issued under Section 9Q of the Local Government Act 2000, which requires authorities to have regard to it. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

In accordance with Section 37 of the Local Government Act 2000, as amended, a local authority operating executive arrangements must prepare and keep up to date a document which contains a copy of the authority's standing orders for the time being and such other information as the authority considers appropriate.

Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, sets out functions which must not be the responsibility of the Executive and therefore rests with Council or its committees. The power to make amendments to the standing orders and the Constitution rests with full Council.

Article 15 of the Council's Constitution provides that changes to the Constitution are approved by Full Council after receiving a recommendation from Cabinet following consideration of a proposal from the Monitoring Officer and a recommendation via the Portfolio Holder with responsibility for corporate governance.

Article 12 of the Constitution provides that the Council's Monitoring Officer will ensure the Constitution is up to date. This function takes into account legislative requirements and best practice.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Consultation has been undertaken with chairman of both Overview and Scrutiny Committees and Audit Committee together with the Portfolio Holder for Partnerships and the Portfolio Holder for Corporate Finance and Governance's Constitutional Working Party in the production of the draft Protocol.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Following the House of Commons' Communities and Local Government Select Committees Report of December 2017 into the 'Effectiveness of local authority overview and scrutiny committees', the Government published new statutory guidance in May 2019 on overview and scrutiny in local and combined authorities. The Council in operating a Leader and Executive Governance Model must have regard to it when exercising their functions and should be followed unless there is a good reason not to in a particular case.

Section 2 of the Statutory Guidance refers to Culture within an organisation and its importance in whether its scrutiny function succeeds or fails. The Guidance suggests a number of ways Councils can establish a strong organisational culture by:

- **Recognising scrutiny's legal and democratic legitimacy**
- **Identifying a clear role and focus**
- **Ensuring early and regular engagement between the executive and scrutiny**
- **Managing disagreement**
- **Providing necessary support**
- **Ensuring impartial advice from officers**
- **Communication scrutiny's role and purpose to the wider authority**
- **Maintaining the interest of full council in the work of scrutiny committee**
- **Communicating scrutiny's role to the public**
- **Ensuring scrutiny members are supported in having an independent mindset**

The Statutory Guidance covers other areas relating to the scrutiny function although, the Council's Constitution already sets out its compliance with statutory requirements for overview and scrutiny committees, the appointment of members of those Committees, the appointment of Chairmen and Vice-Chairmen of the same, the procedures for such matters as call-in, and work programming, access to information for members of those committees and member-officer protocols etc.

The Resources and Services Overview and Scrutiny Committee received a report on the new Statutory Guidance on Scrutiny in Councils at its meeting in July 2019 and resolved that the Committee noted its contents and officers be requested to consider further training to be provided to Members to support the aims of the Statutory Guidance in achieving good scrutiny.

The Community Leadership Overview and Scrutiny (CLOS) Committee received a report on the new Statutory Guidance on Scrutiny in Councils at its meeting in October 2019 and recommended that Cabinet also received the Guidance and considered the potential of developing an Executive-Scrutiny Protocol to address the way in which both will work together for the benefit of the Council as a whole while confirming the independence of both elements of the decision making process of the Council.

At its meeting in November 2019, Cabinet had before it the Corporate Finance and Governance Portfolio Holder's response to the CLOS Committee's recommendation which was as follows:-

"It is clear that the Committee were aware of the existing provisions in the constitution that provide for a robust and independent scrutiny function at this Council. The receipt of the Statutory Guidance is timely for us all to reflect on the arrangements we have and the opportunity to improve upon them in a collaborative way. This collaborative approach was one that worked really well in the review of the Constitution at the end of last year and earlier this year. In fact we will be picking up that work again soon as we undertake the

review promised after 6 months of operation of the changes to the constitution and, specifically, to the full Council Procedure Rules. The invitation for Cabinet to consider a possible Executive-Scrutiny Protocol as referenced in the Ministerial Guidance is one I would want to integrate into the process around the 6 month review of the changes to the constitution. The working group will, by its nature, involve Cabinet and Scrutiny Committee Members and so will be good forum to examine the potential advantages of a new protocol. Obviously, I would then want to broaden the discussion around any protocol with all the Members of the Overview and Scrutiny Committee Members and Cabinet colleagues before any final recommendations are submitted.”

Having considered the recommendation made by the CLOS Committee together with the Corporate Finance and Governance Portfolio Holder's response, Cabinet endorsed the approach suggested.

The Review of the Constitution Portfolio Holder Working Party (CRWP) was re-established in January 2020 to conduct the review outlined above and to also consider other various matters that had arisen during the course of the summer and autumn of 2019. The CRWP considered a number of areas for review arising from the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities issued by the Ministry of Housing, Communities and Local Government during 2019. In respect of *creating an Executive-Scrutiny Protocol to be formally integrated into the Constitution, it was recommended that:*

the Head of Democratic Services & Elections and the Head of Legal and Governance Services & Monitoring Officer, in consultation with the Deputy Leader of the Council, the Chairmen of the overview and scrutiny committees, the Chairman of the Audit Committee and one other Portfolio Holder (to be decided by the Deputy Leader), be authorised to draft a formal Executive-Scrutiny Protocol for this Council and to submit this to the Overview and Scrutiny Committees and Cabinet for adoption.

Following the publication of the Cabinet agenda for its meeting in March 2020 (which was cancelled following the commencement of the COVID-19 pandemic) the Leader made a decision using his urgency powers to approve the above delegation.

Consultation has taken place with the Chairman of the relevant Committees and the Portfolio Holder for Partnerships, in addition to the Deputy Leader's Portfolio Holder Constitution Review Working Party and the draft Protocol for Cabinet and Overview and Scrutiny roles is attached as Appendix B for Cabinets approval and recommendation onto the Overview and Scrutiny Committees and subsequently full Council for adoption and integration with the Constitution.

The one of the main themes through the consultation was to ensure adequate training is organised for members and officers following the adoption of the Protocol to ensure the positive relationship already in existence can be built upon further.

BACKGROUND PAPERS

None

APPENDICES

APPENDIX A	MHCLG Statutory Guidance on Overview and Scrutiny on
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	Overview and Scrutiny in Local and Combined Authorities published May 2019	
APPENDIX B	Draft Protocol for Cabinet and Overview and Scrutiny roles	

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TENDRING DISTRICT COUNCIL'S PROTOCOL FOR CABINET AND OVERVIEW & SCRUTINY ROLES

1. Introduction

- 1.1 The counterpart to operating Cabinet arrangements within a Council is the provision of Overview & Scrutiny functions. You cannot have Cabinet arrangements without its counterpart.
- 1.2 Overview & Scrutiny has the following powers in law:
 - (a) to scrutinise any decision made by the Cabinet,
 - (b) to make recommendations to the Council/Cabinet with respect to functions/responsibility of the Cabinet,
 - (c) to scrutinise decisions made by non-executive functions of the Council
 - (d) to make recommendations to the Council/Cabinet with respect to the non-executive functions/responsibilities,
 - (e) to make recommendations to the Council/Cabinet on matters which affect the Council's area or the those living there.
- 1.3 The Council's Constitution sets out how those powers are to be managed and the standards Members and Officers will adhere to. The purpose of this Protocol is not to repeat the Constitutional Articles, Rules and Procedures but to focus on how the relationship between the roles of Cabinet and Overview & Scrutiny will be exercised.
- 1.4 Officers must act with political impartiality, serving the whole council rather than particular groups or members; as such they serve the Members of the Cabinet and of the Overview & Scrutiny Committees equally.
- 1.5 In operating its Overview & Scrutiny functions, the Council will have regard to the statutory guidance for this function. This Protocol is one of the measures the Council has adopted to address the following statement in the statutory guidance:

“Effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.”

2. Application of the Protocol

- 2.1 In utilising its powers in 1.2, Overview & Scrutiny will act as a 'critical friend' to the Leader and Cabinet.
- 2.2 This Protocol applies to all members of Overview & Scrutiny Committees, any Member who may sit on a Scrutiny Task and Finish Group, the Leader of the Council and all Members of the Cabinet.
- 2.3 All Members will promote the legitimate role of Overview & Scrutiny as outlined in 1.2 above.
- 2.4 All Members must have regard to the Corporate Plan adopted by Council and its capacity and resources to deliver services efficiently, effectively, to achieve value for money and outcomes. Overview & Scrutiny Committees will be mindful of this in its work planning.

3. Trust

- 3.1 All Members should promote an atmosphere of openness at Overview & Scrutiny Committee meetings and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust.

- 3.2 Overview & Scrutiny Members need to trust that Cabinet Members are being open, honest and fulsome when participating in the enquiries being undertaken.
- 3.3 Cabinet Members need to trust Overview & Scrutiny Members with information and to trust in their views.
- 3.4 While Members on the Overview & Scrutiny Committees will come from different political groups including those not aligned with a registered political party, the public must trust that they will act with an independence in determining the work programme of the Committees and in undertaking enquiries identified in the work programmes.

4. Policy Development and Pre-Decision Scrutiny

- 4.1 The value of early input from Overview & Scrutiny into policy development is recognised. Through early consultation, Overview & Scrutiny can act as a sounding board and a think tank in enquiring into issues coming up on the horizon, bringing in added value. The Leader and Cabinet Members (as well as Officers) will draw to the attention of the relevant Overview & Scrutiny committee, policies and strategies that are being developed or are due for review to enable Overview & Scrutiny to build this into their work programme and thereby have a timely input.
- 4.2 All policy development will be carried out in a way to promote inclusive dialogue and to capture views of Members' with a report submitted to the relevant Overview & Scrutiny Committee for consideration by the appropriate Member of Cabinet. The Cabinet and relevant (Assistant) Director will consider the views of Overview & Scrutiny members in the development of the policy and provide a response to the Overview & Scrutiny Committee on the recommendations. The detail of the Overview & Scrutiny involvement shall also be included within the body of the report to Cabinet. The Cabinet/Full Council will continue to be responsible for approving and adopting policy whether this accepts all, some or none of the recommendations from Overview & Scrutiny.
- 4.3 Cabinet Members may wish to request views from Overview & Scrutiny Members on an individual decision before it is taken. The Cabinet Member will be responsible for circulating the details to the relevant Committee Members, through the designated Scrutiny Officer. Utilising this as an option does not exclude the decision from being subject to call-in, however, it will give the Cabinet Member the ability to consider different views and perspectives of a decision to be taken before it is taken.
- 4.4 Like all parts of the Council, Overview & Scrutiny only has a certain capacity and cannot scrutinise everything. It is for Overview & Scrutiny to determine its work programme, in an informed way, and the views of Cabinet are always welcome. Just as Cabinet is not required to accept all recommendations from Overview & Scrutiny on enquiries undertaken, Overview & Scrutiny is not required to accept recommendations from Cabinet concerning the work programme of the Committee. Both should actively consider the other's recommendations and set out reasons for its decision. Both share the ambition of quality public services for residents in, businesses of and visitors to the Council's area.

5. Holding the Cabinet to Account

5.1 A key role of Overview & Scrutiny is in holding the Cabinet to account for decisions taken and performance of services. In holding the Cabinet to account Overview & Scrutiny Members will:

- Consider decisions taken by the Cabinet, individually and collectively and items on the Notice of Forthcoming Decisions through formal Overview & Scrutiny Committee meetings;
- Review service performance and performance against policy and targets;
- Respect the ‘safe space’ required by Cabinet Members and senior officers to think freely and offer frank advice to each other (and to receive the same) as they formulate substantial changes to services, responses to important pressing issues or pursue intense negotiations to resolve disputes.
- Be prepared to ask searching questions that provide a constructive challenge for the purposes of undertaking the Overview & Scrutiny function and not solely for individual information gathering purposes;
- Be positive and respectful in their interactions with Cabinet Members. This will include being clear whether the Cabinet Member is specifically invited, sending invitations in a timely way, acknowledging the attendance of the Cabinet Member at the meeting and allowing the Cabinet Member to address the Committee and respond to questions;
- Respond positively to a Cabinet Member if that Member wishes to attend a particular meeting for a given item and they have not been formally invited to confirm whether an invitation is to be extended to them to attend.
- Represent (and amplify) the voices of the public;
- Listen to the responses provided and to assist the Cabinet in identifying areas for further consideration and improvement, where necessary;
- Recognise that not all reviews require recommendations back to Cabinet, if the Overview & Scrutiny Committee were satisfied with the subject matter under consideration

5.2 In return, Cabinet Members will:

- Be willing to be open, honest and engaged in providing responses to constructive challenge and, where ‘safe space’ to give/receive frank advice is required, what time frame that will be needed for that ‘safe space’, subject to resources and Officers time;
- Value the importance of Overview & Scrutiny;
- Be supportive of the Overview & Scrutiny process and invite and seek opinion from Overview & Scrutiny Members on decisions to be taken, where appropriate;
- Provide a positive contribution to scrutiny meetings;
- Attend meetings when invited to do so to answer questions and present information:
 - ✓ By way of a direct answer
 - ✓ By reference to published publications
 - ✓ By referring a matter to an officer in attendance, if they are not able to respond

- ✓ If an answer cannot immediately be given, by providing a written answer within five working days unless it is not reasonable to do so. If considered unreasonable, an explanation as to why will be given.
 - ✓ A combination of the above options.
 - Depart the Overview & Scrutiny Committee meeting when that Committee expresses a wish to deliberate on a matter after hearing from the Cabinet Member.
- 5.3 Continuing dialogue should underpin Overview & Scrutiny enquiries. As such, pre-meetings (or other communication) between Cabinet Members and the Overview & Scrutiny Committee Chairman is encouraged about a forthcoming enquiry. Where possible, Overview & Scrutiny Committee Members will be encouraged to pass questions on the subject of the enquiry to the Cabinet Member/relevant Officer or outside representative in advance of a Committee meeting. As identified elsewhere, after the meeting and where recommendations are made to the Cabinet there should be a discussion between the Cabinet Member and the Chairman of the Overview & Scrutiny Committee.
- 5.4 The purpose of any pre-meeting (or other communication) referred to above involving a Cabinet Member is not to replace consideration of any agenda item at the published formal meeting, as it is only this setting which the formal business of the Committee can be undertaken.

6. Budget setting and monitoring - The importance of scrutiny

- 6.1 Budget scrutiny must also be carried out on a rolling programme. Quarterly throughout the year proactive scrutiny assists to inform the next financial year's budget and long term forecast, work can involve:
- Challenging how the budget has been constructed before it is agreed. In particular, probing any assumptions that lie behind the executive's budget strategy, i.e. is the approach incremental or is it starting from a base budget, what are the main savings proposals, how will any growth be funded, are the financial implications of proposals from departments or committees built into the overall budget and has an appropriate level of reserves been set?
 - Carrying out budget monitoring activity, for example in areas where expenditure against budget looks to be well above or below forecasts and where growth/savings targets and revised forecasts are involved.
 - Undertaking some evaluation of performance and value for money including how it aligns to the Council's Corporate Plan and Priorities.
 - Maintaining a 'big picture' view of the financial pressures affecting the council and continuously challenging how these might impact on existing budgets and budget setting in subsequent years.
- 6.2 It is important to ensure that this work is undertaken throughout the year and not left until the last Budget Report to Overview and Scrutiny Committee, which is for the final consultation purposes prior to Cabinet's recommendations to Full Council. There is insufficient time to properly respond to the proposals or matters raised, due to the statutory timetable to set a budget. The Overview & Scrutiny function in this important process must be timely and add value, at the point Cabinet recommends its detailed budget proposals including the setting

the level of Council Tax increase, the comments received from Overview and Scrutiny during the year will be regarded. The Council's Budget & Policy Framework Procedure Rules sets out the Process for Developing the Budget.

7. Performance Measurement and Reporting

- 7.1 Measures of performance provide insight into whether value is being achieved and whether improvements are necessary, feasible and affordable. An open sharing of performance data will take place across the Council; including between Cabinet and Overview & Scrutiny. The purpose of reporting general performance data to the Overview & Scrutiny Committee is so that it can undertake scrutiny of it in so far as:
- (a) Is the performance monitoring system capturing the right level of data to support delivery of services – and to make recommendations thereon; and
 - (b) Is there performance as identified in the monitoring data that warrants further enquiry of an activity – and to determine whether and how that enquiry should take place; including it as appropriate in the work programme for that enquiry.
- 7.2 When enquiring into an individual service or subject, Overview & Scrutiny Committee Members will consider the performance measurements available. They will naturally assess whether this aligns with your own research; particularly the experience of service-users.
- 7.3 When considering the performance against the Cabinet's approved annual priority list of actions against the Corporate Plan Themes, Overview & Scrutiny will not normally seek to use the process to question that approved list of actions during the year. There are other Council procedures that can and should be used if there is a compelling need to review those actions. Overview & Scrutiny may legitimately have a view on what the annual priority list of actions should be the following year and these can be set out in recommendations to Cabinet.
- 7.4 Where a service of the Council is being delivered by a third party/outside company or where the matter under enquiry is the responsibility of a partner organisation, they will be encouraged to respond to enquiries from Overview & Scrutiny Committees relevant to the service/enquiry. This will include their own performance data.

8. The Inter-relationship between Cabinet, Audit and Overview & Scrutiny

- 8.1 It is important that Cabinet receives clear advice within the respective responsibilities of the Overview & Scrutiny Committees and the Audit Committee. It is therefore equally important that the formal audit role of the Audit Committee is left to that Committee. Areas in which financial scrutiny can add value, complementary to the work of the Audit Committee, including the following according to the Local Government Association:
- Reviewing draft (medium-term) financial plans
 - Monitoring internal and external audit reports, in order to identify areas where further scrutiny may be beneficial

- Responding to requests from the public for greater clarity on the council's finance and spending plans
- Periodically carrying out post-implementation reviews of large (in terms of revenue or capital) projects
- Challenging decisions related to new service commitments, investments, and previously unbudgeted demands
- Scrutinising the financial implications of greater partnership working
- Keeping a regular 'watching brief' on important matters affecting general resource management.

- 8.2 The above matters will inform the work planning of Overview & Scrutiny of Council functions and those of partners.
- 8.3 Cabinet, Audit and Overview & Scrutiny Committees will be guided by advice from the Council's Section 151 Officer on the boundary of responsibility between Audit and Overview & Scrutiny.

9. Overview & Scrutiny Work planning

- 9.1 Around the start of each Municipal Year, the Overview & Scrutiny committees will hold a work planning workshop. As part of this workshop the views of the relevant Cabinet Member(s) will be inputted alongside the views received from others. The Cabinet's adopted priorities in support of the Corporate Plan will be considered, areas of planned policy development over the relevant Municipal Year (and the next) will be provided and they will be asked to highlight any areas where overview & scrutiny may be specifically invited to assist in work (including Community Leadership areas).
- 9.2 The Chairmen and Vice-Chairmen of the Overview & Scrutiny Committees will meet quarterly with representatives of the Cabinet in order to ensure ongoing opportunities for Cabinet input into Overview & Scrutiny Committee work plans, ongoing opportunities for Overview & Scrutiny to input into Cabinet policy development or to address performance issues and to build on the positive working relationship between the two functions.
- 9.3 Overview & Scrutiny Committees may legitimately expect to receive a written report with relevant details for each item on its work programme and, where possible, this report should always be circulated with the agenda for the meeting.

10. Overview & Scrutiny Recommendations to the Cabinet

- 10.1 Overview & Scrutiny Committees may make recommendations to the Cabinet on functions the Council is responsible for through a formal committee meeting or, say, by way of a Task & Finish Group's Final Report.
- 10.2 Upon receipt of a recommendation from Overview & Scrutiny, Cabinet Members will:
- Give due consideration to any recommendations or views expressed;
 - Provide an explanation for the reasons why recommendations made by Overview & Scrutiny have or have not been pursued.
- 10.3 Once approved by the relevant Overview & Scrutiny Committee, the views of the Cabinet Member on any recommendations will be sought and included within the report. The Chairman of the Overview & Scrutiny Committee/Task & Finish Group will have the opportunity to meet with the relevant Cabinet

Member(s) to discuss the recommendations and the response to those recommendations. The Final Report will then be submitted to the Cabinet for consideration. Should any of the recommendations not be approved or be only partially supported, the Cabinet will provide details of the reason why. The response of Cabinet to recommendations will be reported to the next available meeting of the Overview & Scrutiny Committee.

11. Urgent Items of Cabinet Business

- 11.1 The Chairman of the appropriate Overview and Scrutiny Committee may be requested to consent to certain decision being taken by the Cabinet/a Cabinet Member if there is an urgent decision needing to be taken and, due to that urgency, the required notice cannot be given and/or the normal call-in procedures of a decision cannot be applied. The Committee Chairman will consider each request and will not unreasonably withhold consent where the purpose of granting consent is in accordance with the legislative provisions and thereby permit the urgent decision to be made. Notice of the urgency reasons and the consent of the Committee Chairman will then follow.

12. Scrutiny Consideration of Confidential Decisions

- 12.1 Overview & Scrutiny Committee Members have a right to access exempt information supporting decisions that have been taken in order to allow an effective enquiry of the decision. Should an Overview & Scrutiny Member wish to ask questions at a public Committee meeting around an decision that itself is exempt from publication or is based on information that is so exempt, the press and public may be excluded in accordance with the Council's Constitution and the Cabinet Member will be expected to answer in an open and transparent manner. The exempt information will remain confidential and all elected members and officers who receive that information shall maintain that confidentiality in line with the codes of conduct for Elected Members and Officers.

13. Call-in

- 13.1 Following the mediation process provided for in the Constitution, and on the basis of a continuing call-in situation, Cabinet Members will be expected to attend any meetings of Overview & Scrutiny committees at which a call-in request in relation to their area of responsibility is being considered. Summarising the requirements of the relevant Procedure Rules in the Constitution, if the relevant Cabinet Member cannot attend, the Leader, should attend in their absence or designate another Cabinet Member to do so. The purpose of their attendance will be to present the decision and the basis for it and to answer questions of fact. The following procedure will take place where call-ins are being considered:
- i. One of the Members who called in the decision will speak first.
 - ii. The Chair will invite the Cabinet Member (decision maker) to respond.
 - iii. The Committee will then ask questions of the decision maker, who may ask a relevant officer to supply further information if necessary.
 - iv. The Committee debates the issue and votes on the outcome.

14. Councillor Call to Action

- 14.1 Cabinet Members will be invited and expected to attend any meetings of Overview & Scrutiny Committees at which a call to action request in relation to their area of responsibility is being considered. A similar process will apply as outlined for Call-In decisions referred to earlier.
- 14.2 Overview & Scrutiny Committee members are not entitled to draft materials while policy is being developed unless the Cabinet consults the relevant Overview and Resources Committee through the formulation of policy. This is to ensure resources are used in an efficient manner. Cabinet Members and Officers are expected to ensure the Schedule of Forthcoming Decisions is up to date and accurate to assist with this for work programming purposes.

15. Ensuring Compliance with the Protocol

- 15.1 The Head of Democratic Services & Elections (in his role as the designated Scrutiny Officer) and the Assistant Director of Governance (in their role as Monitoring Officer) will be responsible for overseeing compliance with the Cabinet/Overview & Scrutiny Protocol which should be used by Members to support the wider aim of supporting and promoting a culture of overview & scrutiny. The success of the protocol will be determined by:
 - Recognition of the value of overview & scrutiny;
 - A clear record of constructive challenge;
 - Valuable Overview & Scrutiny reviews that achieve outcomes;
 - An open and accountable decision making process.
- 15.2 With due regard to the Council's Statement on Council development, training will be made available for those on Overview & Scrutiny Committees and those in the Cabinet on this protocol and elements referenced in it including work planning, budget scrutiny, using performance data and key lines of enquiry.
- 15.3 In the Overview & Scrutiny Annual Report submitted to Full Council each year there will be a section demonstrating the impact of Overview & Scrutiny and effectiveness of the Protocol.
- 15.4 All Members have agreed to adhere to the Council's Policies and Procedures through the Members' Code of Conduct. Any Member who considers the principles of this Protocol had been compromised will raise the issue with the Leader or relevant Chairman of the Overview & Scrutiny to seek resolution in the first instance. Where appropriate, the Group Leader will be notified. In circumstances, where a suitable resolution has not been reached between Members, the matter can be raised with the Monitoring Officer.
- 15.5 Any concerns regarding the behaviours between Members and Officers will be dealt with in accordance with the Member Officer Relationship Protocol.

Agenda Item 9

Community Leadership Overview and Scrutiny Committee 8 February 2021

OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

(Prepared by Keith Durran – forthcoming decisions published since 20/09/2020)

In presenting the following, the Committee's attention is drawn to the agenda item notes in respect of Overview and Scrutiny Procedure Rule 13.

DESCRIPTION OF DECISION	KEY DECISION – YES/NO	DECISION MAKER	Decision Due Date
<u>Houses in Multiple Occupation Policy</u>	Yes	Cabinet	19 Mar 21

The Council's notice of forthcoming decisions can be found on the Council's Website at:-

<https://tdcdemocracy.tendringdc.gov.uk/mgDelegatedDecisions.aspx?RP=0&K=0&DM=0&HD=0&DS=1&Next=true&H=0&META=mgforthcomingdecisions&v=0&bcr=1>

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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

RECOMMENDATIONS MONITORING REPORT

Recommendation(s) Including Date of Meeting and Minute Number	Actions Taken and Outcome	Completed, follow-up work required or added to Work Programme
<p>Date of meeting: 30 November 2020 Minute: 5 Recommendation:</p> <ul style="list-style-type: none">a. the Committee Supports the plan to create a forum across North East Essex that will allow Councillors to communicate the views of their constituents with the GP leaders directly.b. in this difficult time the Council recognises the continued hard work of Pam Green and NHS, Dr Gogarty and his team at Essex County Council as well as our own Russell Cole and Carol Archibald and both of their dedicated teams.c. our Officers continue discussions with CCG and Pam Green to ensure that we were second on the list after Colchester.	<p>These recommendations are programmed to be submitted to Cabinet at its meeting on 19 February 2021. The outcome of its consideration will then be reported back to this Committee.</p>	

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

RECOMMENDATIONS MONITORING REPORT

Date of meeting: 30 November 2020 Minute: 6 Recommendation: <ol style="list-style-type: none">a. the Cabinet explores how to further support the Mental Health Hub.b. the Cabinet recognise the hard work carried out by Melony Hammond and the Mental Health Hub.	These recommendations are programmed to be submitted to Cabinet at its meeting on 19 February 2021. The outcome of its consideration will then be reported back to this Committee.	
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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

RECOMMENDATIONS MONITORING REPORT

<p>Date of meeting: 28 September 2020 Minute: 106 Recommendation:</p> <p>After some discussion it was RESOLVED that Council be informed that -</p> <ul style="list-style-type: none">c) the Council includes an online questionnaire on its website to monitor complaints in relation to fireworks; andd) the Committee adds this matter to its work programme and returns to it in January 2021 in order to look at the data collected.	<p>The Committee's recommendations were submitted to Council on 24 November 2020 and it was determined as follows:</p> <p>(a) Councillor S A Honeywood's original motion, as now amended at this meeting, be approved; and</p> <p>(b) the Community Leadership Overview & Scrutiny Committee be requested to undertake a further examination of the issues surrounding the impact of firework displays on animals and vulnerable people and how that impact could be mitigated and paying particular regard to the matters raised by Members at this meeting with a view to reporting the outcome of that further examination to a future meeting of the Council."</p>	<p>This matter is back before this Committee for consideration by it at the meeting on 8 February 2021.</p>
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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

8 FEBRUARY 2021

RECOMMENDATIONS MONITORING REPORT

<p>Date of meeting: 28 September 2020 Minute: 105 Recommendation:</p> <p>It was RESOLVED that the Committee requires a report on pupil participation within the District and to that end requests that Officers invite the Assistant Director of Education at Essex County Council to attend a future meeting of the Committee in order to discuss this matter with Members.</p>	<p>This is with Anastasia Simpson (Head of People, Performance and Projects) who is in the process of arranging dates.</p>	<p>The Assistant Director for Partnerships has been requested to seek the information set out in the recommendation</p>
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Community Leadership Overview and Scrutiny Committee (OSC)

Work Programme 2021/2022

SCRUTINY PROPOSALS FOR THE REMAINDER OF NEXT MUNICIPAL YEAR

Article 6.01 of the Council's Articles and Rule 7 of the Council's Overview and Scrutiny Procedure Rules both require each OSC to submit a work programme for the year ahead and a review of the previous year's activities to the Annual Meeting of the Council for approval.

The Committee will need to determine its programme for scrutiny in 2021/22; including items covered, the scope of the programmed reviews and whether Portfolio Holders or others are to be invited to present to them. Specific information requirements of Councillors to undertake the programmed reviews should also be identified as should any Councillor development needs.

The following have been identified to this point:

Date of Committee Meeting	Broad topic for examination	Matter to be examined and the purpose of the examination	Relevant Portfolio Holder(s)/Outside bod(y)(ies)	Relevant TDC Officer
8 February 2021	Mitigation Measures	Impact of Public Firework Displays. This meeting was rearranged from 18 January 2021 with the agreement of the Committee's Chairman	Essex County Council Trading Standards	Tim R Clarke
22 March 2021	Tendring4Growth (originally programmed for scrutiny at the 2	To enable the Committee to consider the Tendring4Growth underpinning theme in the new Corporate Plan. A report to Cabinet on this matter was submitted to its meeting on 24 January 2020 (item 8 in the agenda for that meeting).	Cllr Mary Newton Chamber of Commerce/	Paul Price

	December 2019 Committee meeting)	As identified in the 2019/20 work programme as needing to be arranged	Tendring Business Leaders Assoc./ Clacton Women in Business and others – representatives to be invited	
	Rail Fares – the economic and social impact of increases	Rail Fares – the annual increase in fares and the impact on residents and the affordability of commuting from the area. As identified by this Committee at its meeting on 13 January 2020 (Minute 87 refers)	Cllr Mary Newton TDC Transport Liaison Group Greater Anglia – representatives to be invited Ontrack Rail Users' Association – representatives to be invited	Paul Price
10 May 2021	Education	Update on the work of the Tendring Education Strategic Board.	Philippa Holliday, Assistant Director of Education	Anastasia Simpson
	Health	Health provision and care response update	Pam Green	Anastasia Simpspon

SCRUTINY TO BE PROGRAMMED

Topic	Detail and Comments	Lead Officer(s)
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Education	<p>It was moved by Cllr Miles</p> <p>A report on pupil participation within the District and to that end requests that Officers invite the Assistant Director of Education at Essex County Council to attend a future meeting of the Committee in order to discuss this matter with Members.</p>	Anastasia Simpson
Private Rented Sector – conditions and improvements to conditions	<p>The use of the £100K grant funding received from the Government for a housing conditions survey in Jaywick Sands to help shape how the Council engages with landlords and improves conditions for anyone living in substandard accommodation.</p> <p>As identified by this Committee at its meeting on 13 January 2020 (Minute 87 refers)</p> <p>This item had been scheduled to be considered by the Committee at its 8 February 2021 meeting. However, a briefing paper circulated to Members of the Committee confirmed that there was no further action to be scrutinised due to the implications of the Covid-19 restrictions in 2020/21. With the agreement of the Chairman of the Committee the item was to be rescheduled in the Committee's work programme.</p>	Tim R Clarke

Tackling Homelessness	<p>That the Community Leadership OSC be requested to consider adding the following to its work programme:</p> <p>b) A review of the Spendells proposed capital scheme and the contribution the scheme is intended to make to address homelessness.”</p> <p>As referred by the Resources and Services OSC on 8 January 2020 and accepted by this Committee on 13 January 2020 (Minute 87 refers).</p> <p>This item had been scheduled to be considered by the Committee at its 8 February 2021 meeting. However, a briefing paper circulated to Members of the Committee confirmed that there was no further action to be scrutinised due to the implications of the Covid-19 restrictions in 2020/21. With the agreement of the Chairman of the Committee the item was to be rescheduled in the Committee’s work programme.</p>	Tim R Clarke
Mental Health	<p>That the Community Leadership Overview and Scrutiny Committee be invited to consider the mental health support to residents” in view of the request to the Cabinet that it “...identify whether existing funding in the revenue budget and reserves, provisions and one-off sums enables the Council to support measures adequately to address the mental health needs</p>	Anastasia Simpson

	of the local population as we ultimately come out of covid-19 pandemic restrictions and if this is found to be insufficient to look to providing funding to achieve this.”	
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SCRUTINY UNDERTAKEN TO THIS POINT IN THE MUNICIPAL YEAR

28 September 2020	Community Safety	To consider elements of the work of statutory bodies and others to make communities safer and to ensure that the voices of local people are heard on policing and measure to detect and detect anti-social behaviour. Given the previous financial support of this Council for Operation Spider activity to provide a more visible police presence in Clacton town centre over the summer, the Committee is interested to look at the experience in 2020 where no identical Operation was jointly funded by this Council.	Cllr Lynda McWilliams Essex Police Homewatch/Community Safety Forums – representatives to be invited	28 September 2020

	<p>The Committee will also look at the instances of fly tipping over recent time and the extent to which occurrences are increasing or not, measures to deter fly tipping and detection and action against those who do fly tip. The Committee will look at the speed of response to fly tipping on public land.</p> <p>Within this work stream, the Committee will examine the extent of noise nuisance reports and whether or not these are increasing, the response to such reports and the outcomes in the forms of advice, seizure of equipment, reviews of licences, enforcement notices and prosecution of offenders</p> <p><i>In addition, the Committee will look at enforcement in respect of alcohol licensed premises including under age sales, proxy sales, fire safety, right to work and compliance with conditions. The extent to which advice is given, closure notices issued, reviews undertaken and prosecution of offenders will be considered by the Committee.</i></p> <p>The extent to which Homewatch (or other Watch) groups exist across the District, the information flow to and from them and the support they require will be examined.</p>))))))
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		<p>To enable the Committee to scrutinise the work of the new/revived Multi-Agency Coordination Panel (MACP); that has the remit of examining enforcement powers and protocols between various agencies locally to ensure that the most effective response possible is put in place to a range of criminal and anti-social behaviour. The Committee envisages receiving a written report setting out the work of the MACP over the 6 or more months since it was (re-) established and the intentions for the following year. Indicators for success of the MCAP should be included with a commentary on progress towards those.</p> <p>As identified by this Committee at its meeting on 7 October 2019 (Minute 78 refers)</p>	Cllr Lynda McWilliams Essex Police	Anastasia Simpson/Carol Magnus
	Education of children	<p>Solely for information, the Committee will look at information by school as to whether (at the start of the autumn term) it is fully open to teach the full range of year groups or whether restrictions are in place that mean this is not the case.</p> <p>The information received may contribute to the debate on the other items at this meeting/the next meeting of the Committee.</p>	Cllr Lynda McWilliams Essex County Council Education/Individual Schools and Academy Trusts	Anastasia Simpson/Carol Magnus
	Mitigation Measures for Impact of Public Firework Displays	<p>Councillor Sue Honeywood's Motion To Council on 21 January 2020:</p> <p>"Fireworks are used by many people throughout the year to mark different events. While they can bring much enjoyment to some people, they can also cause</p>	Essex County Council Trading Standards	Tim R Clarke

		<p>significant problems and fear for other people and animals.</p> <p>This Council therefore resolves:</p> <ul style="list-style-type: none"> • to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people; • to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people — including the precautions that can be taken to mitigate risks; and • to encourage local suppliers of fireworks to stock “quieter” fireworks for public display.” 		
30 November 2020	Health and Wellbeing in the District	<p>In early 2021, an update in terms of the progress made to reduce deprivation locally, to address key health measures including through the intended integrated neighbourhood team for Tendring South. The update should also include the position on funding for primary care provision from the Clacton Hospital site and the operation of the reconfigured GP services from Kennedy House, Kennedy Way, Clacton-on-Sea. As identified by this Committee at its meeting on 13 January 2020 (Minute 84 refers)</p>	Cllr Lynda McWilliams Health Alliance, Clinical Commissioning Group	John Fox
		<p>The Committee will look at the Covid-19 measures to control the spread of the virus, identify and ensure those exposed to it are isolated, to protect the most at risk. This work stream will look at plans to respond locally to a second wave of the virus and the overlapping</p>	Cllr Lynda McWilliams Health Alliance, Clinical Commissioning	John Fox

		<p>considerations of preparations and precautions associated with seasonal flu.</p> <p>The extent to which Community Groups and volunteers are able to support the most vulnerable across the District during the Covid-19 pandemic, the information flow to and from those groups and the support they require will be examined.</p>	<p>Group/ECC Public Health</p> <p>Community Groups providing support to those shielding/most vulnerable during the pandemic – representatives to be invited</p>	
		<p>That the Community Leadership OSC be requested to consider adding the following to its work programme:</p> <p>a) The funding and outcomes of the Mental Health Hub; and</p> <p>As referred by the Resources and Services OSC on 8 January 2020 and accepted by this Committee on 13 January 2020 (Minute 87 refers).</p>	<p>Cllr Lynda McWilliams</p> <p>Melanie Hammond, chief executive of The Mental Health Hub</p>	Anastasia Simpson/Carol Magnus
		<p><i>The Committee will also look at the deferred element from the Community Safety Theme (on Alcohol Licensing) identified above for the 29 September meeting.</i></p>		Karen Townsend

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