



COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

AGENDA

DATE:	Monday, 3 July 2023
TIME:	7.30 pm
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Steady (Chairman)
Councillor Barrett (Vice Chairman)
Councillor Davidson
Councillor Doyle
Councillor Ferguson

Councillor Griffiths
Councillor S Honeywood
Councillor McWilliams
Councillor Oxley

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DATE OF PUBLICATION: Friday, 23 June 2023

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 Tuesday 7 March 2023.

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 Work Programming including Monitoring of Previous Recommendations and Scrutiny of Forthcoming Decisions (Pages 7 - 30)

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

The report also provides an update of the current position on the development of the work programme for 2023/24. This Committee is specifically invited to submit a proposed Work Programme to the meeting of Council on 11 July 2023 for consideration.

6 Joint Annual Scrutiny Report (Pages 31 - 42)

To provide the Committee with a draft copy of the Joint Annual Scrutiny Report and invite its comments on the report prior to submission to Council on 11 July 2023.

The Draft Annual Scrutiny Report to follow.

7 Possible Change to The Scheduled Meeting of The Committee (Pages 43 - 44)

To enable the Committee to determine whether or not to proceed with the programmed meeting, scheduled for Tuesday 18 July 2023.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Community Leadership Overview and Scrutiny Committee is to be held in the Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 7.30 pm on Tuesday, 17 October 2023.

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

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Your calmness and assistance is greatly appreciated.

Public Document Pack Agenda Item 2

Community Leadership Overview and
Scrutiny Committee

7 March 2023

**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND
SCRUTINY COMMITTEE,
HELD ON TUESDAY, 7TH MARCH, 2023 AT 7.30 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Chittock (Chairman), Clifton, Codling, Miles and Steady
In Attendance:	Anastasia Simpson (Assistant Director (Partnerships)), Keith Simmons (Head of Democratic Services and Elections), Rebecca Morton (Executive Projects Manager) and Hattie Dawson-Dragisic (Performance and Business Support Officer)

[Also in Attendance: Anita Patel-Lingam (Statutory Education Compliance Manager, Essex County Council), Michael O'Brien (Head of Specialist Education Services, Essex County Council) [these persons attended via Microsoft Teams]]

22. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absences were received from Councillors Davidson and S Honeywood (no substitutions). Councillor Davidson was able to participate in the meeting by way of a remote connection using MS Teams.

23. MINUTES OF THE MEETINGS OF THE COMMITTEE HELD ON 22 NOVEMBER AND 13 DECEMBER 2022

It was **RESOLVED** that the minutes of the two meetings of the Committee held on Tuesday 22 November and Tuesday 13 December 2022 be approved as correct records.

24. DECLARATIONS OF INTEREST

There were no declarations of interest by Councillors in relation to any item on the agenda for this meeting.

25. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

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

26. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.1 - CHILDREN MISSING FROM EDUCATION

The enquiry commenced with the Head of Democratic Services and Elections. He reminded the Committee that they had last look at this matter on Monday 21 March 2022 and had heard from Essex County Council (ECC) representatives about measures it was seeking to promote in legislation with Government and that this Council had decided to support them with their endeavours. The Head of Democratic Services and Elections also reminded the Committee that it was its wish to revisit this issue and receive an update as to where things are in relation to those people taught in school, home educated and missing from education.

The Chairman invited the Councils' Executive Projects Manager, Rebecca Morton, to address the Committee on this item. Rebecca reminded the Committee that this item is to enquire into the safeguarding and educational position concerning those of school age where an elective decision had been made that they would not be attending mainstream schools and were home educated. She made reference to an email response to Cllr McWilliams (Portfolio Holder for Partnerships) from the Department of Education (following the meeting where this Committee last looked at this matter) which confirmed its current position in respect of the issue. Within the letter (circulated to Members of the Committee) it stated that:

“At the Secretary of State’s appearance before the Education Select Committee on 7 December 2022, she confirmed that the Schools Bill, which included the Children Not in School (CNIS) measures, will not be progressing in this parliamentary session.

The Department remains committed to measures on safeguarding and attendance, including CNIS registers and a duty on local authorities to provide support to home educators. These will be progressed when the legislative timetable allows.

In the meantime, the Department will continue to:

- 1. work with local authorities on improving their current voluntary registers;*
- 2. analyse local authority data from the voluntary EHE and Children Missing Education (CME) collection to build a more accurate picture of the EHE and CME landscape and;*
- 3. review the current EHE guidance for local authorities and parents in due course, and will seek to work collaboratively with local authorities and home educating parents on any updates to this.”*

The Chairman of the Committee invited the representatives from (ECC Anita Patel-Lingam, Statutory Education Compliance Manager and Michael O'Brien, Head of Specialist Education Service) to provide the Committee with an update on this item. Anita advised the Committee that the numbers for electively home educated Children across Essex had risen year on year and that, that pattern was continuing. She also confirmed that the pattern of rising numbers of electively home educated (EHE) Children was a National Pattern. Anita informed the Committee that within Essex there was a “Lasting Legacy” of Children that were home educated throughout Covid-19 Pandemic and their families had decided to not send them back to school following this. Anita advised the Committee of the various reasons why families choose to home educate. The Committee were provided with the numbers of the electively home educated the numbers were the following:

- March 2022 2,445 EHE Cohort across Essex
- March 2023 2,801 EHE Cohort across Essex (14.6% Increase)

- March 2022 352 EHE Cohort across Tendring
- March 2023 433 EHE Cohort across Tendring (23% Increase)

The Committee were informed by the ECC Representative that there was a document soon to be published on ECC Website (but also to all EHE Families who were on their voluntary register) which would support them to understand what Anita’s team were looking in terms of evidence of a suitable home education.

The Chairman of the Committee also invited to this meeting a group of parents, Tracy Hide, Emily Woods, Reverend Tichase and Andrew Brown who provided home education for their children and gave them the opportunity to speak to the Committee about this subject. Each of parent's explained to the Committee why they had chosen to electively home educate, how they chose to structure this education and how they felt it was more beneficial for the children being home educated. The parents advised the Committee that there were groups and communities of parents who were electively home educating and that they worked together in educating their children where this was beneficial. The parents provided answers to questions they were frequently asked around the social development of children not in mainstream education etc. They explained to the Committee that although they felt there were multiple benefits to electively home educating there were some barriers that it would be helpful to them to be overcome in order to support families that wished to home educate. Example of these barriers were; restricted opportunities for GCSE exams outside of English, Maths and Science due to having to travel outside of the area and the cost of accessing resources and opportunities for the children.

Following the parents opportunities to speak, the Chairman asked Anita Patel-Lingam if there was anything she wished to comment on. Anita picked up the issue from the parent around the availability and cost of examination centres and she confirmed that as a local authority this was something they were acutely aware of. She also advised that this was an issue that Councillors at ECC were keen to look at. Anita also brought to the Committee's attention the struggle parent experience when trying to access these examinations and (due to distance in some cases) having to factor in the cost of accommodation and travel.

The Committee asked questions of the parents around the community of parents that was mentioned and their methods of supporting the needs of the children. They also asked around the resourcing issues the parents experience. The Committee also asked the parents their view on other parents that may not be so passionate about the home education of their children.

The Committee had a discussion around parents that electively home educate but don't feel they trust local authorities and don't wish to engage with them. In addressing this Anita informed the Committee that this is an issue that they are aware of and would like to be reassuring of the shared best interests of the child. She also advised the Committee that a decision to place a child back in the mainstream education system would only be made where it was in the best interest of that child.

Following the discussion around a set of guidelines to follow when home educating being produced and sent to parents, the parents explained their point of view on the subject. They explained that in home educating they may not follow conventional methods of teaching their children and that rigid requirements would impede the learning needs of the child.

The Chairman invited Cllr McWilliams, the Portfolio Holder for Partnerships to speak and she wished to thank the parents and the ECC Representative for their contribution to this enquiry at the meeting. The Chairman also gave his thanks to the guest speakers for joining their discussion on this.

It was **RESOLVED TO RECOMMEND** the following to Cabinet:

A. That representations be again made to see Academies provide access to sites in the locality where those that are home schooled can take examinations in a range of subjects close to home.

B. That efforts be made to encourage further enhancement of a positive relationship between home educators and the County Council's education service. Including in policy development and home visits; and

C. to support the collaborative work that was being talked about to identify those that are not attending school or being effectively home educated and taking the necessary steps to get them back into education.

It was further **RESOLVED** that:

Following the Elections in May this year, to further look at this issue of homeschooling and also the related or other issue or missing from education in early 2024 where a further update can be provided, and the opportunity to identify who further to invite to contribute to the enquiry.

27. REPORT OF HEAD OF DEMOCRATIC SERVICES & ELECTIONS - A.2 - CALL-IN: TENDRING BEACH HUT STRATEGY REVISITED - FOLLOWING CONSULTATION

This item was withdrawn as a valid call-in had not been received.

28. REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS - A.3 - WORK PROGRAMMING INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

The Head of Democratic Services and Elections introduced this item and advised the Committee that at Appendix A was the detail of the enquiries intended to be undertaken through Task and Finish Groups, Appendix B had the Recommendations Monitoring Report (which there was nothing specific to report to the meeting) and at Appendix C was the list of the 4 items that are on the forward plan of the Council relevant to this Committee.

He advised that the items in Appendix C were there for the Committee to note as the date for the first two (Events on Council Land Policy and State of Tendring District Statement) had already passed, the update on the work of the Tendring Education Strategic Board would not now be submitted to Cabinet on 17 March 2023. That left the Citizens Advice Tendring – Service Level Agreement 2023/23. He informed the Committee that as this Council would be going into its pre-election period on Monday 13 March 2023 this would provide little opportunity for this Committee to be considering that item.

The Head of Democratic Services and Elections advised the Committee that (in terms of Appendix A) the Committee would need to acknowledge that those Task and Finish Groups now won't reach conclusion and so, they would be referenced back to the new Committee following the elections to see what needs to happen in relation to them.

It was **RESOLVED** to submit the enquiry detail at appendix A to the report to the Committee to determine how to proceed with those enquiries.

The meeting was declared closed at 9.12 pm

Chairman

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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

3 JULY 2023

REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

A.1 WORK PROGRAMMING – INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

The report also provides an update of the current position on the development of the Work Programme for the years 2023/24. The Committee is invited to determine the proposed Work Programme to submit to the Council meeting on 11 July 2023 for consideration/adoption at that meeting.

INVITEES

None.

BACKGROUND

The Council commissioned the Centre for Governance and Scrutiny (CfGS) to undertake an 'Overview & Scrutiny Development Review' in 2021 as a way of further improving that function at the Council. Two relevant recommendations arising from that review were:

“Further strengthening the annual process for developing work programmes for each O&S committee - Engaging Members, Officers, partners and the public to prioritise the topics for review. This could include a selection criteria to identify appropriate topics for the work programme. Currently the work programme is also the last item on the agenda at O&S meetings, we would recommend bringing it to the beginning, so it can be given greater priority and benefit from more considered discussion, rather than being subject to the inevitable end of meeting fatigue.

Reviewing how the recommendations are made and how impact is measured – This could include putting the ‘recommendations monitoring report’ at the beginning of agendas to orientate O&S towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Cabinet (or partners) as improvement or challenge proposals.”

The inclusion of the matters set out in the “purpose of this report” section above seeks to further re-inforce the inter-relationship of the matters referred to. As such, it is designed to further support consideration of work programming of the Committee and contribute to addressing progress with the Corporate Plan.

DETAILED INFORMATION

WORK PROGRAMME 2022/23

The detailed matters relating to the following matters are set out in the relevant Appendix identified:

- (1) Work Programme for 2022/23 – See Appendix A;
- (2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken – see Appendix B; and
- (3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee’s last meeting – See Appendix C.

In considering work programming matters, the Committee is further reminded of the other recommendations from the CfGS review undertaken in 2021:

“Considering greater use of task and finish groups – This more informal type of O&S can allow improved cross-party working and detailed investigation of a single issue focussed on producing substantive recommendations.

Improved agenda planning and management - Committees should focus on one or two substantive items per agenda to allow for cross-cutting themes to be properly identified and explored, and different insights brought to bear on critical issues.

Considering how to engage the public in the work of O&S - This could include O&S going on more site visits in the community, inviting the public to offer ideas for work programmes, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.

A clearer focus on democratic accountability - Scrutiny of Cabinet Members should form a key part of the work programme, providing an opportunity to hold the Leader and portfolio holders to account for delivery of the corporate plan and any other issues O&S feel is important.”

Work Programme 2023/24

The Community Leadership Overview and Scrutiny Committee is one of two overview and scrutiny committees established by the Council to specifically focus on the following areas of Council work (as detailed in Article 6.02(i) of the Council’s Constitution):

“To perform the role of Overview and Scrutiny and its functions in relation to:

- *Community Leadership developing the external focus of overview and scrutiny on “district-wide” issues (and where appropriate sub-regional, regional and national issues), in particular, through collaborative work with local partner authorities, providers, stakeholders and members of the public.*
- *Approval of discrete researched and evidenced reviews on the effectiveness of*

partnership operating in the area with particular focus on:

- *Community Safety*
- *Health and Well-being*
- *Economy, Skills and Educational Attainment*

- *Community engagement, development and empowerment*
- *Leisure and Tourism (except matters relating to budgets)*
- *Housing strategy and Homeless Service (except the Housing Revenue Account)*
- *Emergency Planning”*

The Constitution provides for the two overview and scrutiny committees to submit a work programme to full Council for approval. Rule 7 of the Overview and Scrutiny Procedure Rules sets out the position as follows:

“Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year’s activities to the full Council for approval. In addition it will be responsible for co-ordinating and prioritising its work programme on an ongoing basis.

In preparing, co-ordinating and prioritising its programme, each Overview and Scrutiny Committee will take into account:-

- *The General Role and Principles of undertaking its functions, as set out in Part 2 Article 6;*
- *The planned work on the preparation of elements of the Budget and Policy Framework, as set out in the Council’s Business Plan;*
- *The need for statutory timetables to be met;*
- *The wishes of all members of the committee;*
- *Requests from the Cabinet to carry out reviews; and*
- *Requests from Group Leaders in accordance with Rule 8.”*

In considering the Work Programme of enquiries, the Committee must have regard to the Corporate Plan 2020-24 and the themes of that Corporate Plan are:

- Delivering High Quality Services
- Building Sustainable Communities
- Strong Finances and Governance
- A Growing and Inclusive Economy
- Community Leadership through Partnerships

The Committee should be aware that at present the Corporate Plan for 2024-28 is currently being worked on and provisions may have to reviewed once the new Plan is adopted.

An invitation was sent to Councillors on 16 May 2023 asking for input into the development of both Overview and Scrutiny Committees Work Programmes.

We received responses from three Councillors that included the following suggestions in relation to this Committee:

- Essex Highways – The state of roads and pavements
- Essex Highways- Public right of ways
- Education – SEND provision

A meeting with the Chairman of the Committee was held on Tuesday 20 June 2023 at which time suggestions set out in Appendix D.

A meeting of the Committees Chairman with the Chairman of the Community Leadership Overview and Scrutiny Committee and the Councils Leader and their Deputy Leader was held on 20 June 2023 by virtue of the Cabinet-Scrutiny Protocol of the Council.

RECOMMENDATION

That the Committee:

- (a) Considers and notes the progress with enquiries set out in its Work Programme 2023/23, feedback to the Committee on the decisions in respect of previous recommendations and the list of forthcoming decisions; and**
- (b) Considers the proposals for the Committees Work Programme (as set out at Appendix D) and approve a recommended Work Programme to be submitted to Council on 11 July 2023.**

SCOPING DOCUMENT FOR ENQUIRIES BY COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE AS PART OF ITS WORK PROGRAMME 2022/23

Item	Date of Enquiry	Relevant Corporate Plan Theme/Annual Cabinet Priority	Information to be provided in advance	Those to be invited to attend	Articulated value of undertaking the review
<p>Jaywick, social issues, crime and deprivation, housing.</p> <p>Private Sector Housing and rental build quality. Plus a look at the action to address health inequality through addressing housing conditions.</p>	Not undertaken	<p>Community Leadership Through Partnerships/Joined up public services for the benefit of our residents and businesses</p> <p>Building Sustainable Communities for the Future/B2 Jaywick Sands - more and better housing; supporting the community, B5 - Building and managing our own homes and Effective planning policies</p> <p>Delivering High Quality Services/A6 - Effective Regulation and Enforcement</p>	<p>The emerging Place Plan for Jaywick.</p> <p>Data around the current position as it relates to Jaywick by way of demographics, health inequalities, recorded crime, service provision and plans for the area.</p> <p>The Essex Levelling Up proposals for the area and how they seek to address issues in the locality</p>	<p>Cllr P Honeywood as Portfolio Holder with responsibility for Jaywick Corporate Director, Operations and Delivery, Interim Director for Planning and Assistant Director, Housing and Environment Representatives from Essex County Council, the Environment Agency, the Clinical Commissioning Group/Primary Care Network/ICP Representatives from Community Groups in Jaywick</p>	<p>To look holistically at the issues as they relate to Jaywick Sands and the measures in place to address those issues and encourage further working between partners to collaboratively take opportunities to improve the area for its residents.</p> <p>The enquiry may also be able to inform the emerging Place Plan for Jaywick</p>
<p>Cost of living crisis and the support that can be provided.</p>	Not completed	<p>Community Leadership Through Partnerships/Joined up public services for the benefit of our</p>	<p>Information on the cost of living crisis, including fuel prices and inflation. Localised data on the numbers of households</p>	<p>Representatives from a range of organisations active in this work</p>	<p>To best support socio-economic wellbeing at the local level during this crisis time.</p>

		<p>residents and businesses</p>	<p>facing financial crisis, numbers of disabled people who have less than £10 per week for food and essentials and those individuals at risk of homelessness</p> <p>Information on what is being done at a local level to support those being hit hardest by the cost of living crisis. Evidence of coverage of these efforts compared with the numbers likely to be hardest hit locally. How are the financially vulnerable identified and how robust are the partnerships to address this. Support for disabled people to access support.</p> <p>Data sharing between organisations to improve service delivery</p>	<p>area who are able to assist the enquiry.</p>	
<p>Out of school out of site, children not in School. Addressing the issues in the Ombudsman's Report of July 2022. - Focus report: Out of school, out of sight? July 2022 (localgov.co.uk)</p>	<p>Not completed</p>	<p>Community Leadership Through Partnerships/Joined up public services for the benefit of our residents and businesses</p>	<p>Essex County Council policies on its duty to children who cannot fully attend a school to access their education.</p>	<p>Representatives from Essex County Council's Education service with knowledge of this area.</p>	<p>To respond to the Ombudsman's Focus Report of July 2022 on this matter. To be reassured on the provision for children in Tendring who struggle to cope</p>

<p><u>This enquiry is not about elective home education</u></p> <p>When a child (of compulsory school age) cannot go to school, the Upper Tier local authority must find out why. If there is a duty for it to act, it must make alternative arrangements to provide suitable education.</p> <p>The key learning point the Ombudsman wants to highlight is that Upper Tier Authorities have the duty to arrange alternative education, not the school a child attends. Councils need some way to identify when their duty has arisen. Councils will be held to account if things go wrong.</p>			<p>Numbers of children in the County who cannot fully attend school.</p> <p>Arrangements for assessments of children who cannot fully attend a school to access their education.</p> <p>Alternative education provision providers and oversight of those arrangements.</p> <p>Timescales for assessments and alternative provision, learning from complaints about the service.</p>	<p>Those who undertake assessments</p> <p>Those who are contracted to provide alternative education provision.</p> <p>A sample of the parents of the children who fall into this category</p> <p>A representative from the Ombudsman's Office who can speak on this matter.</p>	<p>with full-time education. This can be because they have health problems. Helping to ensuring that local services do not exacerbate mental health issues for children in this category. The Ombudsman reports seeing increasing numbers of cases where children are unable to attend school because of anxiety. Often, these cases involve children with special educational needs which have yet to be fully understood. There may be little, or even conflicting, evidence about the child's needs. Nevertheless, councils must assess the available evidence and decide for themselves whether they have a statutory duty to make other arrangements for the</p>
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					child's education. They should take action without delay.
COMPLETED ITEMS					
<p>Progressing the proposals for development as part of Tendring-Colchester Border Garden Community</p> <p>Considering the emerging Development Plan Document for the Garden Community</p> <p>Opportunities for enhancing the Garden Community through links to the Freeport East project.</p> <p>Examining stewardship/governance of the Garden Community.</p> <p>Assessing risk and challenges for the District as a whole.</p>	<p>An initial enquiry was undertaken by Members of this Committee on 12 July 2023 at an informal meeting. He full information set out in this scope was not sought for this enquiry (and not all identified invitees were approached for this informal meeting). The outcome of the initial enquiry is set out in its own programme.</p>	<p>Community Leadership Through Partnerships</p>	<p>The emerging Development Plan Document for the Garden Community.</p> <p>Responses to consultation with the public/stakeholders on the Development Plan Document.</p> <p>The plans of Essex County Council for roads and for the rapid transit arrangements.</p> <p>Relevant plans of the University of Essex.</p> <p>Plans of public service providers such as health, fire and police for provision in respect of the Garden Community.</p>	<p>Portfolio Holder for Corporate Finance and Governance</p> <p>The Chairman of the Tendring Colchester Borders Joint Committee and the other Members of the Committee.</p> <p>The Planning Portfolio Holder</p> <p>The Deputy Chief Executive, Interim Director for Planning and the Corporate Director for Project Delivery</p> <p>Representatives from Essex County Council (Highways), North East Essex Health and Wellbeing Alliance</p>	<p>Reassurance that the Development Plan Document for the Garden Community (and related plans for the Garden Community) are robust and address the needs for that community.</p> <p>This process can itself inform the full Council's consideration of the Development Plan Document for the Garden Community – scheduled to be considered in January 2023.</p>

<p>NHS dentistry provision in the District.</p>	<p>Completed</p>	<p>Community Leadership Through Partnerships</p>	<p>To provide the Committee information on NHS dentistry provision in the District, and the wider Suffolk and North East Essex Integrated Care Board geography.</p>	<p>Lizzie Mapplebeck, Associate Director of Strategic Change, Suffolk and North East Essex Integrated Care Board</p> <p>Greg Brown, Senior Performance Improvement Manager, Suffolk and North East Essex Integrated Care Board</p>	<p>To understand the provision of dentistry within Tendring and the wider implications of this in terms of health and highlight any issues which Members believe are relevant</p>
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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

3 JULY 2023

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><u>This Committees meeting on 7 March 2023 (Minute 26 refers)</u></p> <p><u>CHILDREN MISING FROM EDUCATION</u></p> <p>Recommended to Cabinet that:</p> <ul style="list-style-type: none"> a) That representations be again made to see Academies provide access to sites in the locality where those that are home schooled can take examinations in a range of subjects close to home. b) That efforts be made to encourage further enhancement of a positive relationship between home educators and the County 	<p>This will be reported to Cabinet on 21 July 2023</p>	

<p>Council's education service. Including in policy development and home visits; and</p> <p>c) To support the collaborative work that was being talked about to identify those that are not attending school or being effectively home educated and taking the necessary steps to get them back into education.</p>		
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Recommendations monitoring for those recommendations from earlier meetings of the Committee have been previously reported to the Committee and, as such, are not repeated here as there is no further update to be provided on them.

A.3 APPENDIX C

Community Leadership Overview and Scrutiny Committee 3 July 2023

OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

(Prepared by Keith Durran)

The below forthcoming decisions are those published since 7 March 2023 – the publication date for the Committee’s last ordinary meeting.

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
Events on Council Land Policy	YES	Cabinet	21/07/2023
Installation of swimming pool covers for the main pools at Clacton Leisure Centre, Dovercourt Bay Lifestyles and Walton on the Naze Lifestyles	YES	Portfolio Holder for Leisure	23/06/2023
Citizens Advice Tendring, SLA 2023/24	YES	Portfolio Holder for Partnerships	21/07/2023
MOU with health partners to use funding to address inequalities	NO	Cabinet	21/07/2023
Swimming pool filter Media replacement	YES	Portfolio Holder for Leisure	28/07/2023

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APPENDIX D

**COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE
FOR ENQUIRIES TO BE UNDERTAKEN IN 2023/24**

Work Programme

[Draft Work Programme for 2023/24 outlining planned for enquiries.]

Item	Date of Enquiry	Relevant Corporate Plan Theme/Annual Cabinet Priority	Information to be provided in advance	Those to be invited to attend	Articulated value of undertaking the review
<p>Active Essex/Sport England Local Delivery Pilot in the District of Tendring – seeking to tackle the issues of inactivity and develop best practice</p>	<p>Off-Agenda Briefing Note by the end of July 2023</p>	<p>Community Leadership Through Partnerships – Sport England and Active Essex- for physical activity and wellbeing</p>	<p>An outline of the 2017 bid by Essex Health and Wellbeing Board to Sport England</p> <p>Details of actions since 2017 and what measurable results have been achieved. This should also cover micro grants, Prevention and Enablement Model, Essex pedal power, Wheels for All, Street Tag/Gamification and Essex ActivAte school holiday programme as they apply to Tendring.</p> <p>The overall funding and how that has been spent in Tendring.</p>	<p>The Portfolio Holder for Partnerships to be approached to supply the off-agenda briefing</p> <p>Assistant Director (Partnerships) to support the Portfolio Holder</p>	<p>The off-agenda briefing is a way of providing information to the Committee Members and enable them to consider what further areas for scrutiny need to be taken forward using the briefing note as the evidential basis.</p>

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			<p>What best practice has been identified and extended beyond the pilot scheme.</p> <p>What are the remaining plans for the pilot and, what is the exit strategy for the pilot to achieve its stated vision of “Hardwiring physical activity into the system for sustainable change.”</p>		
<p>Policy on Events on Council Land</p>	<p>To be allocated</p>	<p>Delivering High Quality Services - Public spaces to be proud of in urban and rural areas</p> <p>and</p> <p>Strong Finances and Governance - Use assets to support priorities</p>	<p>The proposed policy set out in the forthcoming decisions record for submission to Cabinet on 21 July 2023</p> <p>Summary details of events held on the Council’s Land over the past five years – sufficient to enable the Committee to consider the basis of the decision to permit the event, the impact on the Council and the area in which the event was held and whether</p>	<p>Portfolio Holder for Leisure and Public Realm</p> <p>Corporate Director (Operations and Delivery)</p>	<p>To consider the proposed/adopted Policy and consider whether it addresses the corporate plan themes and needs of the District</p>

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			<p>there was any local opposition to the events.</p> <p>What restrictions have been applied to proposed events prior to the policy and what applications have been refused.</p>		
<p>As the Crime and Disorder Committee of the Council</p> <p>Crime and disorder. To consider the Police, Fire and Crime Commissioner’s revised Police and Crime plan and its application to the District. The review will also look at anti-social behaviour and domestic abuse in the district. Anti-social behaviour including community speed watch schemes and the allocation of additional Police Officers to the area</p>	<p>An invitation was submitted to the Police, Fire and Crime Commissioner and a reply is awaited. This invitation was specifically for an early meeting in July 2023.</p> <p>However, as time moves on it may be more appropriate to schedule this for the 17 October 2023 meeting of the Committee.</p>	<p>Community Leadership Through Partnerships/ Law and Order - for a safer community</p>	<p>The Commissioner’s Police and Crime Plan.</p> <p>Data on recorded crime (including domestic abuse), crime survey data and anti-social behaviour levels over the last five years.</p> <p>Numbers of Police and PCSOs over the same period for the District of Tendring.</p> <p>Details of measures specifically taken on the issue of domestic violence.</p> <p>Details on local watch schemes including</p>	<p>Roger Hirst, Police, Fire and Crime Commissioner.</p> <p>Essex Police’s District Commander</p> <p>Representatives from relevant organisations and watch schemes including Home watch.</p>	<p>To help inform the Delivery of the Police and Crime Plan/ consider the implications of the Plan for the District and to examine ways to support community schemes to address violence in a domestic setting and anti social behaviour.</p>

APPENDIX D

			<p>home watch and community speed watch.</p>		
<p>School Age Education provision and specifically: (a) Safeguarding of children and support for those who elect to home educate their children. (b) The rate of absenteeism in schools and consideration of the underlying reasoning for a rise and good practice to reverse the rise. (c) Use of parenting, education supervision and school attendance orders and other enforcement action (d) The legal responsibilities of the Upper Tier local authority, and actions taken in Essex, in respect</p>	<p>Summer 2023 to start – through the creation of a Task and Finish Group</p>	<p>Community Leadership Through Partnerships - Education - for improved outcomes</p>	<p>Numbers of children electively home educated over the past five years.</p> <p>Absenteeism rates for individual schools in the District over the past five years.</p> <p>Use of enforcement action over the past five years</p> <p>Numbers of children (of compulsory school age) who cannot go to school and who the Upper Tier Council has a responsibility for.</p>	<p>Anita Patel-Lingam (Statutory Education Compliance Manager, Essex County Council),</p> <p>Michael O'Brien (Head of Specialist Education Services, Essex County Council)</p> <p>Individuals who home educate their children (such as those who attended the Committee's meeting on 7 March 2023)</p> <p>Teachers represented on the Tendring education Strategic Board to outline the</p>	<p>To be reassured on the provision for children in Tendring who struggle to cope with full-time education. This can be because they have health issues.</p> <p>Helping to ensuring that local services do not exacerbate mental health issues for children in this category.</p>

APPENDIX D

<p>of children (of compulsory school age) who cannot go to school, the Upper Tier local authority must find out why.</p> <p>(e) Would a free school in the District help to improve attendance and raise attainment?</p>				<p>Board's measures to address absenteeism.</p> <p>Others who may volunteer to attend on the elements of the scope set out.</p> <p>The Portfolio Holder for Partnerships</p> <p>Assistant Director (Partnerships)</p>	
<p>Improving access to NHS Dentistry for residents in Tendring and specifically those who should have such access free of charge -</p> <p>(a) Under 18s and under 19s in full time education</p> <p>(b) Those on Income Support,</p>	<p>23 April 2024</p>	<p>Community Leadership Through Partnerships - Health and wellbeing - for effective services and improved public health</p>	<p>1. The number of dentists in the area now compared with 5-10 years ago, reasons for growth/decline. Public versus private.</p> <p>2. Legislative changes over the last 10 years that affected the service the NHS was obliged to provide, if any.</p>	<p>Lizzie Mapplebeck, Associate Director of Strategic Change, Suffolk and North East Essex Integrated Care Board</p> <p>Greg Brown, Senior Performance Improvement</p>	<p>To look at the provision of NHS dental provision in the District since the local Integrated care Board took responsibility for its commissioning and consider how the significant adverse health implications from poor dental health</p>

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<p>Income-based Jobseeker’s Allowance and Income related Employment and Support Allowance</p> <p>(c) Those below the income threshold and in receipt of child tax credits, working tax credit (including a disability element)</p> <p>(d) Pregnant women and those who have had a baby in the last 12 months</p> <p>(e) Those in receipt of a war Pension/Armed Forces Compensation scheme payments</p>			<p>3. Costs for procedures both public and private, waiting times.</p> <p>4. How many people are without a dentist in the district?</p> <p>5. How does Tendring sit against the rest of the UK in relation to the above questions?</p> <p>6. What steps are being taken to improve things?</p>	<p>Manager, Suffolk and North East Essex Integrated Care Board</p> <p>Professor Nick Barker, Oracle Dental Group The Portfolio Holder for Partnerships</p> <p>Assistant Director (Partnerships)</p>	<p>and gum disease in respect of:</p> <ul style="list-style-type: none"> • Respiratory infections • Diabetic complications • Cardiovascular problems • Kidney disease • Rheumatoid Arthritis <p>And thereby seek to ensure that the steps being taken by commissioners of NHS dentistry are seeking to mitigate against such issues.</p>
<p>The following emerged from a meeting under the Council’s Cabinet Scrutiny Protocol on 20 June 2023</p>					

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<p>Mainstream and community transport provision in the District – looking at the provision, the extent to which it supports inter-modal exchanges, provides a meaningful alternative to private car usage for work, leisure and medical journeys.</p>	<p>To be allocated</p>	<p>A Growing and Inclusive Economy - Support existing businesses/More and better jobs</p> <p>Building Sustainable Communities for the Future</p> <p>Community Leadership Through Partnerships - Joined up public services for the benefit of our residents and businesses</p>	<p>Details of mainstream public transport across the District including bus routes and frequency.</p> <p>Issues being experienced with mainstream public transport as outlined to Councillors</p> <p>Details of Essex County Council’s subsidised bus services in the District and the associated funding.</p> <p>Details of community transport provision across the District and the funding for them from Councils in Essex.</p> <p>Publicly available data on car ownership in the District and use of public transport.</p>	<p>Representatives of the local Bus and Railway Operators and of community transport providers.</p> <p>Representative from Essex County Council in relation to subsidised bus services where there are no commercial services and where the County Council think it appropriate.</p> <p>Deputy Leader (Portfolio Holder for Economic Growth, Regeneration and Tourism)</p> <p>Representatives of transport users.</p> <p>Portfolio Holder for Partnerships</p>	<p>To consider the network of public transport provision (commercial and subsidised) and invite providers/ commissioners to review those with the Council based on evidence identified.</p> <p>To look at community transport provision and where best practice could be shared to extend the network.</p>
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				<p>Corporate Director of Place and Economy</p> <p>Assistant Director (Partnerships)</p>	
<p>The extent to which Health inequalities present themselves for Tendring and the steps being taken to address those inequalities.</p>	<p>Off-Agenda Briefing Note by the end of September 2023</p>	<p>Community Leadership Through Partnerships</p> <ul style="list-style-type: none"> - Joined up public services for the benefit of our residents and businesses - Health and wellbeing - for effective services and improved public health 	<p>ONS data on healthy people, lives and places in respect of the residents of Tendring.</p> <p>Essex’s Joint Strategic Needs Assessment data sets in respect of Tendring from 2022 (The JSNA is a process through which local authorities and NHS organisations assess the current and future health, care and wellbeing needs of the local community to inform the decisions they make.)</p> <p>Details of funding received by the Council from North East Essex Clinical</p>	<p>The Portfolio Holder for Partnerships to be approached to supply the off-agenda briefing</p> <p>Assistant Director (Partnerships) to support the Portfolio Holder</p>	<p>To identify the measures being taken to address health inequalities and the sustainability of those measures going forward.</p>

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			<p>Commissioning Group (NEECCG) and East Suffolk and North Essex NHS Foundation Trust (ESNEFT), its purpose, the use of the funding to date, proposed schemes going forward with time lines and exit strategy.</p>		
<p>On street parking arrangements in the District – and parking PCNs, Permits, Traffic Regulation and enforcement. The Council’s participation in the North Essex Parking Partnership (NEPP), the work and business model of the Partnership.</p>	<p>To be allocated. (It may be that this is established as a joint Task and Finish Group – with Resources and Services Overview and Scrutiny Committee)</p>	<p>Community Leadership Through Partnerships - Joined up public services for the benefit of our residents and businesses</p> <p>Strong Finances and Governance - Use assets to support priorities</p>	<p>The business Model of the NEPP.</p> <p>The agreement for the NEPP.</p> <p>The use of Tendring District Council Officers to undertake enforcement of on-street parking restrictions.</p> <p>The current position in relation to the use of camera enforcement cars in the District.</p> <p>Information on scrutiny undertaken or proposed in the other</p>	<p>Representatives of Councillors on the NEPP</p> <p>Councillor Lee Scott, Essex County Council’s Portfolio Holder for Highways Maintenance and Sustainable Transport.</p> <p>This Council’s Portfolio Holder for Environment</p> <p>This Council’s Corporate Director for</p>	<p>To consider this partnership and the role of the Council within the Partnership, the overall financial risks to the Council and the work of the Partnership to support road safety e.g. outside of schools and short term parking in shopping areas and its contribution to the economic success of those shopping areas.</p>

APPENDIX D

			partners of the NEPP – including Epping Forest, Harlow, Uttlesford, Braintree and Colchester Councils.	Operations and Delivery	
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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

3 JULY 2023

REPORT OF THE HEAD OF DEMOCRATIC SERVICES & ELECTIONS

A.2 ANNUAL SCRUTINY REPORT FOR 2022/23

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

To review the Draft Annual Scrutiny Report in so far as it relates to the work undertaken by this Committee during the Year 2022/23. If satisfied the Committee is invited to endorse this report for submission as a record of the work undertaken in 2022/23.

BACKGROUND

This Committee is one of two overview and scrutiny committees established by the Council.

Since 2020/21 a joint annual report covering the full Scrutiny function of the Council has been submitted to Full Council outlining the work undertaken for the previous year through both of the Councils Scrutiny Committees.

RECOMMENDATIONS

That the Committee considers the draft version of the Annual Scrutiny Report, set out in Appendix A for submission to Council on 11 July 2023.

[NOTE] It may be appropriate to delegate to the Head of Democratic Services and Elections, in consultation with the Committees Chairman, to make minor alterations to the appended draft and to correct any spelling and grammatical errors or stylistic inconsistencies.

BACKGROUND PAPERS FOR THE DECISION

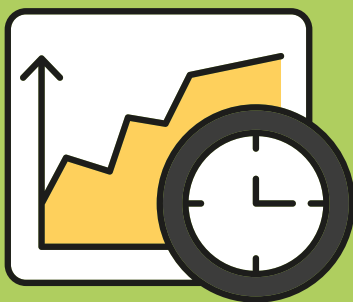
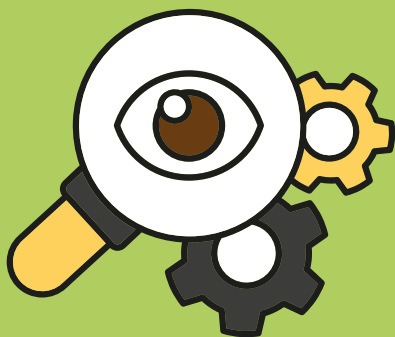
There are none.

APPENDICES

Appendix A – Draft Annual Scrutiny Report (To Follow)

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OVERVIEW & SCRUTINY ANNUAL REPORT 2023



Tendring
District Council



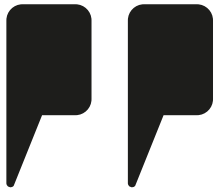
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Opening

This report sets out the review of 2022/23 for the Overview and Scrutiny function of the Council. As such it represents a comprehensive "Joint Report" from the Council's two Overview and Scrutiny Committees (OSCs). This approach has been in place for several years and has garnered widespread acclaim and appreciation from both the Chairmen and Members of the OSCs.

During 2022/23 a significant transformation took place in the OSCs approach to their crucial scrutiny function. This change was prompted by valuable guidance provided through a thorough review conducted by the Centre for Governance and Scrutiny (CFGs) in the period of 2021 to 2022. Notably, 2022/23 marked the initial implementation of a new operational framework for the OSCs, wherein their programmed formal meetings were established at a quarterly frequency. Concurrently, the substantive and essential enquires of the Committees were diligently carried out by dedicated Task and Finish groups of Councillors, ensuring comprehensive scrutiny throughout the entire year. By their nature, certain enquiries continued to be undertaken by the Committee as a whole.



Councillor Mark Stephenson

Chairman of the Resources and Services Overview and Scrutiny Committee 2022/23

"The Resources and Services Overview and Scrutiny Committee has undertaken several valuable enquiries in 2022/23. The Task and Finish groups (T&FG) for Planning Enforcement and Cyber Security are particularly noteworthy and I am grateful to the Chairmen of those Groups for their control of the respective enquiries and producing really powerful recommendations. The Committee itself too undertook extensive enquiries on the Budget for the Council in preparation for 2023/24 and on procurement/contract management (prompted by several examples that were explored with relevant Cabinet Members and Officers). The development of a social value policy for the Council is one element of that last enquiry that I look forward to the Committee's involvement in. On that note I would like to extend my personal thanks all Members (in the Administration and those on the Committee and its Task and Finish Groups) for their time and effort in pre-reading, attending briefings, participating in formal meetings and follow up activity. Together we have made scrutiny work at Tendring."



Chair Quotes

"The last year of Community Leadership Overview and Scrutiny Committee has been an interesting year as it was the first year that the Committee used Task and Finish groups to carry out the majority of its work. Unfortunately, it was difficult to get a full quota of Members to volunteer for each Task and Finish Group and as time moved on, we were unable to move ahead with several of the enquiries. We did, however, undertake a good piece of work around NHS dentistry, or lack thereof, in the District as a Committee. I would like to thank all the Members for their help as well as the Officers".



Councillor John Chittock

Chairman of the Community Leadership Overview and Scrutiny Committee 2022/23

Line Up

We have had some changes to the membership of both Overview and Scrutiny Committees for the year 2022/23.

While both Chairmen remained unchanged, Councillor Harris left the Resources & Services OSC to take his position of Chairman of the Council. He was replaced on that Committee by Councillor Skeels who left his role on the Community Leadership OSC to facilitate this change. Councillor Kanagasundaram King replaced Councillor Skeels on Community Leadership

Resources and Services Overview and Scrutiny Committee 2022/23

Councillor Mark Stephenson - Chairman
Councillor Gary Scott – Vice Chairman
Councillor Terry Allen
Councillor Chris Amos
Councillor Mick Barry
Councillor James Codling
Councillor Chris Griffiths
Councillor Pam Morrison
Councillor Mick Skeels

Community Leadership Overview and Scrutiny Committee 2022/23

Councillor John Chittock
Councillor Susan Honeywood
Councillor Paul Clifton
Councillor James Codling
Councillor Bill Davidson
Councillor Kanagasundaram King
Councillor Delyth Miles
Councillor Jayne Nash

With the changes ushered in by the elections to the Council on 4 May 2023, the new memberships to the Committees for the year 2023/24 are as follows:

Community Leadership Overview and Scrutiny Committee

Councillor Graham Steady

Councillor Terence Barrett

Councillor Bill Davidson

Councillor Carolyn Doyle

Councillor Tanya Ferguson

Councillor Susan Honeywood

Councillor Daniel Land

Councillor Lynda McWilliams

Councillor Ann Oxley

Chairman

Vice-Chairman

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member

Committee Member



Resources and Services Overview and Scrutiny Committee



Councillor Paul Honeywood	Chairman
Councillor Mark Cossens	Vice-Chairman
Councillor Matthew Bensilum	Committee Member
Councillor James Codling	Committee Member
Councillor Chris Griffiths	Committee Member
Councillor Sarah Newton	Committee Member
Councillor Adrian Smith	Committee Member
Councillor Graham Steady	Committee Member
Councillor Bradley Thompson	Committee Member

Work Programme

Below is a very brief summary of the Work Programme approved by Council, or subsequently by the Committees, for 2022/23. The full Work Programme scope approved by Council on 12 July 2022 is available [here](#).

Community Leadership OSC

As a Committee:

- Dentistry (COMPLETED)
- Children electively home schooled (COMPLETED)
- Tendring-Colchester Borders Garden Community (COMPLETED IN 2023/24)

Task and Finish Groups:

- Jaywick, social issues, crime and deprivation, housing – a holistic view (NOT COMPLETED)
- Cost of living crisis – identifying gaps in local support (NOT COMPLETED)
- Out of school out of sight - provision for children unable to attend School (NOT COMPLETED)

Resources & Services OSC

As a Committee:

- Procurement and Contract Management (COMPLETED)
- Frinton Summer Theatre (COMPLETED)
- Financial Outturn 2021/22 (COMPLETED)
- Waste – preparing a summary position from previous enquiries (NOT COMPLETED)

As a Task and Finish Group:

- Beach Huts (COMPLETED)
- Cyber Security (COMPLETED)
- Planning Enforcement (COMPLETED)
- Customer Service (NOT COMPLETED)

The Committee also received an off-agenda briefing on progress with the Climate Change Action Plan activity (COMPLETED) and on the then proposed 3G pitch at Clacton Leisure Centre and the associated land swap of land at Vista Clacton-on-Sea and at Jaywick Lane (COMPLETED).



Dentistry Enquiry

In December 2022 the Community Leadership OSC undertook a very informative special meeting of the Committee to specifically look at the NHS Dentistry provision within the District of Tendring.

The Committee was joined by representatives from some of our external partners:

The Committee was joined by some of our external partners:

- Lizzie Mapplebeck, Associate Director of Strategic Change, Suffolk and North East Essex Integrated Care Board
- Greg Brown, Senior Performance Improvement Manager, Suffolk and North East Essex Integrated Care Board
- Professor Nick Barker, Oracle Dental Group

The Committee was informed about the longstanding issues surrounding NHS dental access, which have been worsened by the COVID-19 pandemic. This has resulted in increased pressure on emergency care services, extreme measures taken by individuals to alleviate pain, and broader societal impacts such as increased demands on the healthcare system and reduced productivity. At the time of the Enquiry NHS England directly commissions dental services, with Integrated Care Boards (ICBs) commissioning and manage dental services locally from April 2023. The dental contract system has faced criticism, and a response by local Providers has sought to improve patient access, increase incentives for preventative dentistry, and prevent patients from having to pay privately for previously commissioned NHS dental care. The report presented local data on the Tendring District in Essex, which highlighted challenges in dental access, particularly for the district's aging population. The data

revealed unmet dental treatment needs and a decrease in the availability of NHS dental services during the pandemic. To address these challenges, various programs were planned, including increasing routine and urgent dental capacity, supporting care homes and healthcare professionals, prioritizing dental care for vulnerable groups like looked-after children, and improving dental health education. Efforts have also been made to enhance access information by auditing dental services more frequently and updating the Directory of Services to provide better information on dental practices accepting new and emergency patients.

Overall, the information presented emphasizes the long-standing issues with NHS dental access, the impact of the pandemic, ongoing reforms to the dental contract system, local oral health needs, and the implementation of programs aimed at improving dental access and care.

Planning Enforcement Enquiry

In March 2023, the Committee heard the results of its Planning Enforcement Task and Finish group which was tasked with conducting an enquiry into the Council's Planning Enforcement function, focusing on various aspects such as current powers, policies, procedures, data usage, effectiveness of approach, and case prioritization. The decision to investigate Planning Enforcement arose from concerns raised by multiple Councillors regarding its effectiveness in addressing a range of planning enforcement matters. The aims and objectives of the enquiry were established during the Task and Finish Group's inaugural meeting, and they evolved as the inquiry progressed.

The objectives of the enquiry were categorized into several areas. First, regarding current powers, the goal was to review the Council's full set of discretionary powers for planning enforcement and improve communication about these powers to stakeholders. Second, in terms of policies, the Council's

Planning Enforcement Policy and associated harm risk assessment were subject to review, with recommendations for necessary improvements. Third, the enquiry aimed to assess and enhance the effectiveness of procedures involved in handling enforcement complaints, including communication approaches and potential collaboration with third parties. Fourth, data interrogation was proposed to gain insights into the scale and nature of enforcement issues, leading to the development of a reporting framework. Fifth, the effectiveness of the planning enforcement approach would be evaluated through feedback from Councillors and interested parties, along with a review of available resources. Finally, the enquiry sought to assess the approach to prioritizing inspection and determine necessary improvements to the harm risk assessment and decision-making process within the Council.

From this the Committee put forward a robust set of recommendations to Cabinet that will be heard in June 2023.



Cyber Security Enquiry

As part of its work programme for 2022/23, the Resources and Services Overview and Scrutiny Committee established a Cyber Security Task and Finish Group to investigate and challenge the Council's cyber-security arrangements and preparedness.

It was acknowledged that providing Members with information to fulfil their council duties was important, although it was not a legal obligation. One of the Member concerns related to the legal context of ceasing the auto-forwarding of emails. From a legislative perspective, the General Data Protection Regulation (GDPR) requires personal data to be processed securely, which the Council couldn't demonstrate when emails were forwarded to personal accounts outside its control. The Information Commissioner's Office (ICO) guidance clarified that information relating to the official business of a public authority held in non-work personal email accounts may be subject to the Freedom of Information Act (FOIA).



At a Full Council meeting, Officers were tasked with exploring options for Member's email access. Four main options were presented:

- 1) Restrict access to Council-owned devices, which aligned with the original recommendation but some Members needed to use personal devices for quick email responses;
- 2) Issue Council-owned mobile phones to Members who requested them, meeting the need for quick responses but potentially incurring additional costs;
- 3) Allow Members to use personal devices with Council-installed software, but it could be unpopular, raise security concerns, and require additional IT resources;
- 4) Members continue using personal devices but access systems and emails via a web-based Member 'Portal,' increasing the risk of cyber-attacks and requiring additional cybersecurity resources.

The decision-making process considered factors such as Member requirements, user satisfaction, cost, data protection compliance, cybersecurity, information governance, resource complexity, and risk management.

Once again the outcome from this enquiry led to the Resources & Services OSC providing Cabinet and Council with a detailed list of recommendations.



Councillor Giancarlo Guglielmi

Deputy Leader of the Council 2022/23 and
Interim leader of the Council 10-23 May 2023



“As we draw the current Administration to a close, it is good to reflect on how this Council's Scrutiny function has developed. Following the visit by a team of the Centre for Governance and Scrutiny (CFGs) a report was prepared and circulated to everyone; the council commissioned CFGs to advise and support Members and Officers to review its Scrutiny function. We now have in place a new Cabinet/Scrutiny Protocol and have also set up several Task and Finish Groups which have proven to be very helpful to the running of the Council especially the work done on the Cyber Security topic, who came up with a solution to the ongoing Councillors Email Forwarding problem that was proposed and accepted by Full Council at its March meeting. I look forward to a continued improvement of the Council's Scrutiny role and build on the success achieved so far”.



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COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

3 JULY 2023

REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

A.3 POSSIBLE CHANGE TO SCHEDULED MEETING OF THE COMMITTEE

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

To enable the Committee to determine whether or not to proceed with the programmed meeting, scheduled for Tuesday 18 July 2023.

INVITEES

None.

BACKGROUND

A meeting of this Committee had been scheduled for Tuesday 18 July 2023. An earlier meeting has now been scheduled for this Committee on Monday, 3 July 2023, to establish a work programme for submission to Council on Tuesday 11 July 2023. The Committee is asked to review the necessity of the meeting programmed on Tuesday 18 July 2023. Currently there is no business to transact and on this basis the Committee is invited to consider cancelling that meeting.

DETAILED INFORMATION

At the Annual Council Meeting on Tuesday 23 May 2023, a schedule of meetings for the year 2023/24 was approved. Within the schedule a Community Leadership Overview and Scrutiny Committee was programmed for Tuesday 18 July 2023.

After a meeting of the Chairman of the Committee and the Head of Democratic Services and Elections on Tuesday 23 May 2023, and an informal meeting of Community Leadership Overview and Scrutiny Committee on Monday 12 June 2023. It was decided to hold an Informal and then Formal meeting of the Committee on Monday 3 July 2023 so as to produce a draft Work Programme for submission to Council on Tuesday 11 July 2023. The informal meeting on 12 June and the meeting today (3 July) were in addition to the original scheduled meetings of the Committee.

RECOMMENDATION

That the Committee determines whether or not to cancel the scheduled meeting of the Committee on Tuesday, 18 July 2023.

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