

COUNCIL

6 AUGUST 2024

JOINT REFERENCE FROM THE COMMUNITY LEADERSHIP AND THE RESOURCES & SERVICES OVERVIEW AND SCRUTINY COMMITTEES

A.4 OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMMES FOR 2024/2025 AND REVIEW OF WORK UNDERTAKEN IN 2023/24

(Report prepared by Keith Durran)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Council's approval of the respective proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the remainder of 2024/25. Through the report, Council is also asked to receive the proposed 'Annual Report 2023/24' for overview and scrutiny work undertaken through those Committees.

EXECUTIVE SUMMARY

At this Council, the overview and scrutiny function is facilitated through two separate Committees. These are the Community Leadership and the Resources & Services Overview and Scrutiny Committees. Together, their work comprises the whole overview and scrutiny function on the Council.

Under the Council's Overview and Scrutiny Procedure Rules, the Constitution states, in relation to the Work Programme (Rule 7), that:

“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 Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis.

In submitting their proposed work programmes for 2024/25, the Overview and Scrutiny Committees have taken 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;*
- *the need for statutory timetables to be met;*
- *the wishes of the members of the committee;*
- *requests from the Cabinet to carry out reviews and/or suggestions from the liaison meetings held under the Cabinet Overview & Scrutiny Protocol; and*
- *requests from Members and/or Group Leaders in accordance with Rule 8.*

Under Article 6.02 of the Constitution the separate Overview & Scrutiny Committees (OSCs) perform the role of overview and scrutiny in relation to:

Resources and Services OSC

“the effective use of the Council’s resources including approval of discrete researched and evidenced reviews on the effectiveness of:

- *Financial Forecast and Budget setting and monitoring (including the General Fund and the Housing Revenue Account)*
- *Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee)*
- *Procurement and Contract Management*
- *Transformation and Digital Strategies*
- *Customer Service and Standards”*

Community Leadership OSC

- *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 Community Leadership Overview & Scrutiny Committee will also act as the Council’s designated “crime and disorder committee” for the purposes of Section 19 of the Police and Justice Act 2006 and will have the power –

- (a) *to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities[*] of their crime and disorder function;*
- (b) *to make reports or recommendations to the local authority with respect to the discharge of those functions.*

** “The responsible authorities” means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c.37) (authorities responsible for crime and disorder strategies) in relation to the local authority’s area.*

In fulfilling that function, the Community Leadership Overview & Scrutiny Committee will have the power (whether by virtue of section 9F(2) or 21(2) of the Local Government Act 2000 or regulations made under section 9JA(2) or 32(3) of that Act or otherwise) to make a report or recommendation to the local authority with respect to any matter which is a local crime and disorder matter in relation to a member of the authority.

The crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder function as the committee considers appropriate but no less than once in every twelve month period.”

In considering the Work Programme of enquiries to submit for approval to Council, the separate Overview and Scrutiny Committees have had regard to the Corporate Plan 2024-28 and the themes of that Corporate Plan. These themes are:

- Pride in our Area and Services to Residents;
- Raising Aspirations and Creating Opportunities;
- Championing our Local Environment;
- Working with Partners to Improve Quality of Life;
- Promoting our Heritage Offer, Attracting Visitors and Encouraging them to Stay Longer, and;
- Financial Sustainability and Openness

The Overview and Scrutiny Committees each formally reviewed the work carried out in 2023/24 and considered items for inclusion in their respective proposed Work Programmes for 2024/25 as follows:

INFORMAL MEETINGS

Community Leadership Overview and Scrutiny Committee – 4 June 2024; and
Resources and Services Overview and Scrutiny Committee – 20 June 2024.

FORMAL MEETINGS

Community Leadership Overview and Scrutiny Committee – 17 July 2024; and
Resources and Services Overview and Scrutiny Committee – 22 July 2024.

This formal approval follows informal development of concepts by Members of the two Committees. All Councillors on Tendring District Council were provided with the opportunity to contribute proposals for Work Programme items for 2024/25.

Both Committees received the results of a public consultation that ran from 15 April 2024 to 10 May 2024. Details to access the consultation were sent directly to all Town and Parish Councils in the District with electronic copies of posters that they were invited to display. It was also published on this Councils website in conjunction with a social media engagement campaign by the Councils Communications Team.

Having considered all of the suggestions received from the above activity, the two Overview and Scrutiny Committees determined their proposed Work Programmes for 2024/25 and these are now submitted for approval by Council along with a review of the scrutiny function at the Council in 2023/24 as performed through the two Committees. This has been developed in dialogue with the Chairmen of the two Committees and a draft was circulated at the formal Committee meetings already referenced above.

Appendix Ai to this report sets out the proposed work programme for the Community Leadership Overview and Scrutiny Committee, Appendix Aii sets out the proposed work programme for the Resources and Services Overview & Scrutiny Committee and Appendix B sets out the review of the scrutiny function in 2023/24. All are submitted for consideration by Council.

Both of the Overview and Scrutiny Committees have approved arrangements to enable appointments of relevant Task and Finish Groups to take forward enquiries from the approved work programmes. These appointments will enable appointments to be made prior to the next respective Committee meetings.

RECOMMENDATIONS

That Council –

- (a) approves the proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the 2024/25 Municipal Year, as set out in Appendices Ai and Aii respectively; and
- (b) receives and notes the work carried out by those Committees in the year 2023/24, as set out in Appendix B.

BACKGROUND

The Council's Corporate Plan 2024-28 Themes are set out earlier in this report.

The General Role and Functions of the Overview and Scrutiny Committees (as set out in Article 6.01 of the Council's Constitution) are to:-

1. *Review or scrutinise executive decisions made by the Cabinet (including those delegated to Portfolio Holders and Officers) or are due to be made by the Cabinet or a Portfolio Holder including performance in relation to individual decisions over a period of time;*
2. *Act as a consultee on policy development and review of policies;*
3. *Submit to Full Council for approval an annual overview and scrutiny work programme;*
4. *Make reports or recommendations to the Cabinet or the Council as appropriate, with respect to the discharge of any Council function or on any matter affecting the authority's area or its inhabitants.*
5. *Prepare and present an annual performance report to Full Council covering the outcomes of the overview and scrutiny functions by each committee;*
6. *Deal with any call-in of Cabinet decisions (including those delegated to Portfolio Holders and Officers (key decisions only)) in accordance with the Overview & Scrutiny Procedure Rules; and*
7. *Consider requests for scrutiny reviews under the Councillor Call for Action process and petitions as referred under the Petitions Scheme and Council Procedure Rules.*

In undertaking the General Role, the following principles apply:-

- (i) *The focused co-ordination of all overview and scrutiny functions on behalf of the Council including the performance reporting on the Corporate Plan, Priorities and Projects;*
- (ii) *Appoint, where appropriate, and in accordance with its agreed work programme, a group to undertake researched and evidenced reviews on a specific topic, on a task and finish basis. The terms of reference of any Task and Finish group must be agreed by the relevant Overview and Scrutiny Committee prior to its commencement; and*
- (ii) *Consideration of the Council's priorities and resources when making researched and evidenced recommendations and referral decisions as an outcome of the scrutiny and prioritising those referrals in a timely manner.*

In supplement to the provisions of the Council's Constitution elsewhere referenced in this report, on 21 March 2021, Council approved and incorporated into the Constitution, a Cabinet and Overview and Scrutiny Protocol which includes the following in respect of

work programming by the two Overview and Scrutiny Committees:

“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.”

BACKGROUND PAPERS FOR THE DECISION

Minutes of the meeting of the Community Leadership Overview and Scrutiny Committee held on 17 July 2024.

Minutes of the meeting of the Resources and Services Overview and Scrutiny Committee on 22 July 2024.

APPENDICES

Appendix Ai - Proposed Work Programme for 2024-25 for the Community Leadership Overview and Scrutiny Committee

Appendix Aii – Proposed Work programme for 2024-25 for the Resources and Services Overview and Scrutiny Committee

Appendix B - Review of the work carried out by the overview and scrutiny committees in the period 2023 to 2024