RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

17 DECEMBER 2024

REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

A.1 <u>WORK PROGRAMME 2024/25 – INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS</u>

(Report prepared by Ian Ford)

PURPOSE OF THE REPORT

The report provides the Committee with an update on its approved Work Programme for 2024/25 (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 opportunity for updates on the work of the Committee's Task and Finish Groups, to consider the Committee's approach to budget scrutiny at its January 2025 and to note that arrangements will be made with the Chairmen of this Committee and of the Audit Committee to receive the findings in relation to the investigation into the Council's development of Spendells House, Naze Park Road, Walton-on-the-Naze.

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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-enforce 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 2024/25

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

- (1) Work Programme for 2024/25 approved by Full Council on 6 August 2024 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."

The Resources and Services 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 the effective use of the Council's resources including approval of discrete researched and evidenced reviews on the effectiveness of:

Financial Forecast Budget setting and monitoring (including General Fund & Housing Revenue Account but excluding those budgetary matters delegated to the Community Leadership Overview and Scrutiny Committee)

Colchester/Tendring Borders Garden Community Housing Strategy and Homeless Service 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

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;
- provision for budget scrutiny and scrutiny of the Treasury Management Strategy, as appropriate;
- the need for statutory timetables to be met;
- the expressed 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."

In considering the Work Programme of enquiries, the Committee must have regard to the Corporate Plan 2024-28 and the themes of that Corporate Plan 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
- Financial Sustainability and openness

It should also be noted that the Committee will hold an informal meeting on Thursday 12 December 2024 with the Head of Democratic Services and Elections to discuss the work programme and the agenda for this meeting.

RECOMMENDATION

That the Committee:

- (a) considers and notes the progress with enquiries set out in its Work Programme 2024/25, plus any feedback to the Committee on the decisions in respect of previous recommendations and the list of forthcoming decisions;
- (b) invites oral updates on the work of the three Task and Finish Groups established by the Committee (as referenced in the Work Programme at Appendix A):
 - (i) Asset Management Arrangements (Cllr. Mark Cossens is its Chairman);
 - (ii) Council Enforcement Arrangements (Cllr. Paul Honeywood is its Chairman);
 - (iii) Housing Strategy Development and Temporary Accommodation (It's meeting on Thursday, 19 December will determine its Chairman);
- (c) determines the Committee's approach to budget scrutiny to be undertaken at its meetings on Monday, 6 January (informal) and Monday, 13 January 2025 in respect of the draft General Fund and draft Housing Revenue Account budgets for 2025/26 and beyond; and
- (d) notes that arrangements will be made with the Chairmen of this Committee and of the Audit Committee to receive the findings in relation to the investigation into the Council's development of Spendells House, Naze Park Road, Walton-on-the-Naze.

RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE FOR ENQUIRIES TO BE UNDERTAKEN IN 2024/25

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
Post delivery scrutiny of the Sunspot commercial workspace in Brooklands, Jaywick	Off agenda briefing note by the end of September 2024	□ Financial sustainability and openness	Management arrangements for the commercial workspace. Details of the lettings of the business units, shops and café and the use of the covered market area and event hall (including lease terms) from the opening of the development. Details as to how the operation of the workspace supports enhances, compliments activities at the Jaywick Resources Centre.	Portfolio Holder for Economic Growth, Regeneration and Tourism Corporate Director, Place and Economy	To provide the Committee with information on the development since it opened and identify maters for further enquiry, would be beneficial.
To examine the Asset management arrangements of the Council and consider the extent to which asset	Through A Task and Finish Group	☐ Championing our local environment	A complete list of TDC assets (specifically property & land) and the ward they are located in.	Portfolio Holder Assets Assistant Director,	The enable the examination of asset management and utilisation with a view to supporting

acquisition and disposal is strongly linked to the ambitions of the corporate plan. The enquiry will look at land assets and their use/value to the Council and community properties, investment in them and the use to which they are put, IT Assets and Beach Hut (bases). [This matter will not look at Human Resources or matters in the Housing Revenue Account].	At Committee on	□ Pride in our area and services to residents □ Working with Partners to improve quality of life □ Raising aspirations and creating opportunities □ Promoting our heritage offer, attracting visitors and encouraging them to stay longer □ Financial sustainability and openness	Repairing obligations (for this Council) costings in relation to maintenance for land & property asset. The enquiry will look at unused assets (eg toilet block at the junction of Coppins Road and Old Road, Clacton). IT equipment and software acquisition, maintenance licences, disposal and the opportunity to harness digital solutions and be as efficient in transactional services, as possible across the Council. This should look at contacts (and costs of contact) and use of Al chatbot systems to improve experience and reduce multiple handling enquiries.	Building and Public Realm Assistant Director Finance IT Appropriate other Portfolio Holders and Officers	delivery of the corporate plan 2024 and recommendations to release assets that do not contribute to that plan or otherwise rationalise assets to improve effectiveness and efficiency of those assets.
1 16-baaget octainly	13 January 2024	☐ Championing our local environment	and update the end of Q3, draft budget for	Holders	envisaged reality check on budgets

Consider long-term forecasts. Challenging assumptions/testing zero base budgeting. Consider repeated overspends/underspends Addressing performance/budget requirements.	[Pre-meeting 6 January 2025]	□ Pride in our area and services to residents □ Working with Partners to improve quality of life □ Raising aspirations and creating opportunities □ Promoting our heritage offer, attracting visitors and encouraging them to stay longer □ Financial sustainability and openness	2025/26 and the financial strategy plus details of significant overspend and underspend over the last five financial years.	All Members of Management Team	and financial plans prior to their approval and ensure that there are clear links between budget setting and strategic/operational plans.
Housing Strategy Development and Infrastructure and Temporary Accommodation. The enquiry will include a	Through Task and Finish Group	□ Working with Partners to improve quality of life	Policies and Practice documents of the Council in respect of the use of private rented accommodation for	Portfolio Holder, Housing and Planning. Assistant Director,	To look at possible improvements to temporary accommodation provision and make

look at how the Council maintain its list of private landlords and if the Council quality check those properties as suitable.		□ Financial sustainability and openness	those needing housing. The average time people are placed in temporary rented housing accommodation. Details of complaints by those people in rental accommodation. Numbers of HRA properties over the last five years including acquisitions and disposals. The current housing strategy and any development draft of a new strategy as well as an assessment as to how the current strategy has been delivered.	Housing and Environment A representation of private landlords	recommendations there on. To determine the strategic direction of the Council in respect of Housing and the extent to which this has been delivered.
		COMPL	ETED .		
Portfolio Holder Update	22 July 2024	☐ Championing our local environment	Updated the Committee on work in relation to his role as Portfolio Holder.	Councillor Mike Bush – the then Portfolio Holder for Environment	Enabled the Committee to be aware of the significant areas of the responsibility with in the Portfolio

		□ Pride in our area and services to residents □ Working with Partners to improve quality of life □ Financial sustainability and openness			and the areas the Portfolio Holder was addressing currently.
Portfolio Holder Update	At Committee on 23 September 2024	□ Championing our local environment □ Pride in our area and services to residents □ Working with Partners to improve quality of life □ Financial sustainability and openness	Updated the Committee on work in relation to his role as Portfolio Holder.	Councillor Peter Kotz – Portfolio Holder for Assets	Enabled the Committee to be aware of the significant areas of the responsibility with in the Portfolio and the areas the Portfolio Holder is addressing currently
Council Enforcement arrangements including the extent to which enforcement powers are	Through Task and Finish Group.	☐ Championing our local environment	The detail to the extent to which the Corporate Enforcement Group	Leader of the Council	To identify any possible areas for improved enforcement

looked at in a silo or corporate way to ensure that (with in the purposes of particular enforcement powers) the Council considers the ability to address non-compliances robustly.	[This continues the work in 2023/24 where enforcement arrangements around planning, was examined].	 □ Pride in our area and services to residents □ Promoting our heritage offer, attracting visitors and encouraging them to stay longer □ Financial sustainability and openness 	has provided the route to ensuring a corporate consideration to utilising a range of enforcement powers to address problem premises. An update on the implementation of recommendations made in 2023/24 around planning. To examine fly tipping and the use of mobile CCTV as part of enforcement.	Corporate Director for Operations and Delivery Assistant Director, Partnerships Appropriate Portfolio Holders and Officers	arrangements and to make recommendations there on. Final Report of the Working Group on Fly Tipping and Mobile CCTV enforcement was submitted to the meeting of the Committee held on 23 September 2024. The Committee's recommendations were then submitted to the meeting of the Cabinet held on 15 November 2024. Cabinet's decision is set out in Appendix B.
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Resources and Services Overview and Scrutiny Committee - 17 December 2024

<u>RECOMMENDATIONS MONITORING REPORT – 2024/2025 MUNICIPAL YEAR</u> (Prepared by Ian Ford)

Recommendation(s) Including Date of Meeting and Minute Number	Actions Taken and Outcome	Completed, follow-up work required or added to Work Programme
THE SPENDELLS PROJECT	This item was reported to Cabinet on 20 September 2024.	Completed
At the Committee's meeting on 22 July		
2024 (minute 50 refers):-	Having duly considered the recommendations made by the Resources	
RECOMMENDED to CABINET:-	and Services Overview & Scrutiny Committee together with the response of	
That, once the Chief Executive's formal review (on how the issue of unauthorised expenditure arose	the Portfolio Holder for Housing and Planning thereto, Cabinet:-	
and developed in respect of the Spendells project) has been	RESOLVED that –	
completed, the Cabinet reports on its lessons learnt; 2. that the report referred to in (1)	(a) the Chief Executive's formal review, when completed, be reported to the Cabinet including:	
above should articulate a robust response and action plan for going	i) a more detailed financial breakdown of	
forward; 3. that a more detailed financial	the seven items not included in the original specification, of additional	
breakdown of the seven items not included in the specification for	expense itemised in the previous report to Cabinet:	
the Spendells project be reported to Cabinet; and	ii) the lessons learnt; iii) articulating a robust response and	
4. that Portfolio Holders review, with	action plan for going forward;	
their Corporate Directors, the performance and project	(b) Portfolio Holders should review, with their Corporate Directors, the	

management of all existing projects within their respective portfolios and report their findings to the Leader of the Council by the end of September 2024 (and that this also then be submitted to this Committee at its next programmed meeting).

At the Committee's meeting on 23 September 2024 (minute 57 refers), it considered the Cabinet's response and decided, inter alia:-

"Invite the Leader of the Council to its next meeting and receive a report outlining the progress with the Cabinet's decision as follows:-

"Portfolio Holders should review, with their Corporate Directors, the performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council and the Resources and Services Overview and Scrutiny Committee together with such additional actions as the Leader wishes to undertake.""

performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council and the Resources and Services Overview and Scrutiny Committee together with such additional actions as the Leader wishes to undertake in response.

This item was reported to Cabinet on 15 November 2024.

The response of the Housing & Portfolio Holder had been:-

"As I have stated on more than one occasion I meet weekly with the Corporate Director (Operations and Delivery) along with the Director for Planning and Communities, to discuss the situation, at that time, of ongoing projects within the Housing and Planning Portfolios, along with many other issues.

Within the Housing Portfolio there are currently two major projects, one being the Honeycroft development of 13 bungalows in Lawford, and the other the refurbishment of Spendells House to temporary accommodation for families, which are both discussed at the weekly meetings, covering the progress, and finances of both. Having visited both sites recently, I can say that

Follow-up - Leader of the Council has been invited to attend this meeting.

work is progressing very well, and although I have been informed of potential dates of opening, I would not want to commit to those publicly until they are a certainty.

As the Committee have been advised, there is a review of the Spendells project, which is still ongoing, and it would be wrong of me to comment on that process, which is being undertaken under the direction of the Chief Executive.

Once the conclusions, and any recommendations, of the review have been made available to both myself and Cabinet, I will be in a better position to identify what actions must be taken in relation to any similar projects that come forward."

The Leader of the Council had thanked the Resources and Services Overview & Scrutiny Committee for all of their work on this matter.

Having duly considered the recommendations made by the Resources and Services Overview & Scrutiny Committee together with the response of the Portfolio Holder for Housing and Planning thereto, Cabinet had:-

"RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Portfolio Holder

SCRUTINY OF FLY TIPPING AND MOBILE CCTV ENFORCEMENT

At the Committee's meeting on 23 September 2024 (minute 59 refers), it considered the final second report from its Council's Enforcement Arrangements Task and Finish Group, which had been submitted following that Group's conclusion of its enquiry concerning fly tipping and mobile CCTV enforcement.

The Committee had recommended to Cabinet that:-

- "(1) in order to develop a more holistic picture of the issues involved and the development of strategies to address them, in addition to highway fly-tipping incidents, records be kept and analysed for fly-tipping on other public land such as open spaces, public realm, Council assets, Beachfronts et cetera;
- (2) further steps be undertaken to engage with volunteer litter picking groups to ensure there is greater awareness of the issues around taking waste from private property and of the steps taken by Officers to identify perpetrators of flytipping (and the need to preserve that evidence to ensure it can be used in action against perpetrators);

responsible for Housing and Planning thereto be endorsed."

This item was reported to Cabinet on 15 November 2024.

Cabinet had before it the following response from the Portfolio Holder for the Environment:-

"I note the recommendations of the Committee and thank them for work they have carried out.

I have been in discussion with the relevant service to explore the feasibility and resource implications of adopting the Committee's recommendations."

Cabinet had also before it the following response from the Portfolio Holder for Partnerships:-

"I also note the recommendations and thank the Committee.

I have raised the recommendations within the report with the relevant service. I am happy to explore the option to use AI functionality, where appropriate. I have asked the service to assess the impact of using AI on our existing policies and delivery of service."

- (3) it develop a similar approach to that of the London Borough of Redbridge with its online 'Wall of Shame' showing footage of fly-tipping with a view to encouraging understanding of the issue, the Council's efforts to address flytipping and to receive information on perpetrators;
- (4) it encourage residents to supply their own footage, possibly through 'RING' (or other manufacturers) camera-door bells of fly-tipping captured by them;
- (5) it inform Councillors that if they notice dog fouling, un-retrieved dog waste, they should inform the Council's Community Safety Team who can look at deployment of Ambassadors with a view to detecting the perpetrators and, in the issues persist, to evidence a decision to deploy mobile CCTV cameras to address the problem;
- (6) consideration be given to the deployment of a mobile 'phone application for reporting incidents of fly-tipping and other crimes such as dog fouling and graffiti similar to that in place in Cheshire West and Chester Council;
- (7) consider how best to support members of the public to find details of licensed waste carriers (after the UK Government has concluded its review of the online access to that data);
- (8) details of fly-tipping hot spots on the highway/public land in the District be circulated to Councillors together with

Having duly considered the recommendations made by the Resources and Services Overview & Scrutiny Committee together with the responses of the Portfolio Holder for the Environment and the Portfolio Holder for Partnerships thereto, Cabinet had:-

"RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the responses of the Portfolio Holder for the Environment and the Portfolio Holder for Partnerships thereto be endorsed."

- the stepped approach to enforcement relevant to that hot spot site and that this should be alongside summary details of the deployment of mobile CCTV cameras as part of addressing environmental crimes such as fly-tipping;

 (9) the reasons for the non-deployment of a mains powered or a battery powered CCTV camera in the High Street, Clactonon-Sea with a view to deterring and/or detecting fly-tipping at the junction with Beach Road be set out and addressed
- (10) on the basis that the Council's policies, procedures and codes in respect of CCTV are reviewed in this current calendar year, they be amended to provide that as and when CCTV cameras are to be purchased, or grant applications made to fund CCTV cameras, consideration be given to the relative benefit of those cameras having AI functionality that can be deployed and that for mobile CCTV cameras consideration should also be given to alternative acquisition options such as rental rather than purchase."

with the relevant decision makers.

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.

Resources and Services Overview and Scrutiny Committee - 17 December 2024

OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

(Prepared by Ian Ford)

The below forthcoming decisions are those published since 13 September 2024 – the publication date for the Committee's last ordinary meeting and are still 'live'.

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
Adoption of an Artificial Intelligence Best Practice approach at Tendring District Council	NO	Cabinet	20/12/24
Updated financial forecast and initial budget proposals for 2025/26	YES	Cabinet	20/12/24
Updated Housing Revenue Account (HRA) Business Plan and Budget Proposals 2025/26	YES	Cabinet	20/12/24
Delivering against the Council's Corporate Plan 2024-28 – Initial Proposals for Highlight Priorities for 2025/26	NO	Cabinet	20/12/24
Revisions to the Housing Allocations Policy and Agreement to undertake consultation in connection with these Revisions	YES	Cabinet	20/12/24
Adoption of Housing Polices on Gas Safety, Electrical Safety, Fencing & Paving and Empty Council Homes Management	YES	Cabinet	20/12/24
Progress Report for the Highlight Priorities Actions for 2024/25 – Quarter 3	NO	Cabinet	31/1/25
Final Highlight Priorities for 2025/26 – Approval and Adoption	NO	Cabinet	31/1/25
Update on the Essex Procurement Partnership and Procurement Strategy	YES	Cabinet	31/1/25
Finalisation of General Fund Budget and Council Tax Proposals for 2025/26 for submission to Full Council	YES	Cabinet	31/1/25

Finalisation of HRA Budget Proposals for 2025/26 for submission to Full Council	YES	Cabinet	31/1/25
Business Rates Base 2025/26	YES	Corporate Finance & Governance Portfolio Holder	Not before 17/1/25
Council Tax Base 2025/26	YES	Corporate Finance & Governance Portfolio Holder	Not before 5/12/24
Terms for a lease renewal over Holland Public Hall, Frinton Road, Holland-on-Sea	NO	Assets Portfolio Holder	Not before 5/12/24
Land swap at Honeycroft, Lawford	NO	Assets Portfolio Holder	Not before 5/12/24
Grant of a new Lease over The Redoubt Harwich	NO	Assets Portfolio Holder	Not before 5/12/24
Terms for the lease of a shop property in Dovercourt	NO	Economic Growth, Regeneration & Tourism Portfolio Holder	Not before 5/12/24
Review and revision of existing housing policies - Alterations and Improvements Policy, Decant Policy and Pets Policy	KEY	Housing & Planning Portfolio Holder	Not before 20/12/24
Renewal of the Council's Corporate Banking Contract	KEY	Director (Finance & IT)	Not before 5/12/24