

**Committee:** Council

**Date:**

**Title:** Scrutiny Committee - Annual Report

Tuesday, 5 October  
2021

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**Lead Member:** Councillor Neil Gregory  
Chair of the Scrutiny Committee

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## Summary

1. There is a requirement under the Council's Constitution for the Chair of the Committee to report annually to Full Council.
2. This report summarises the Committee's work in 2020/21. Please note that while the content of this report was correct as at May 2021 when it was approved by the Scrutiny Committee, some matters have since either progressed or been stopped.

## Recommendations

3. None

## Financial Implications

4. None

## Background Papers

5. None

## Impact

- 6.

Communication/Consultation	The Annual Report helps the committee inform other councillors and the public of their work.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None

Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

## Situation

7. Despite the significant impact of the Covid 19 pandemic on the Council during 2020/21, the Scrutiny Committee has continued to make a positive difference. Although some workstreams have been slow to progress because of the constraints imposed by the pandemic response, the Committee has been able to continue meet regularly online and provide a critical friend role to the Executive.
8. During the year the Centre for Governance and Scrutiny has carried out two reviews and made recommendations.
9. Also during the year the Committee took the decision to split its scrutiny of the Local Plan process from the rest of its workload and now holds separate Local Plan-specific meetings.
10. The sections of the report below summarise the main areas of discussion and activity during the year.

## Public Health Emergency

11. Scrutiny Committee began the first meeting of 2020/21 with a report on the Council's management of the public health emergency. This report was received two months after the start of the first lockdown, so very early in the pandemic.
12. The Committee heard how the Council began preparing for the coronavirus outbreak in January, issuing its first bulletin to all staff regarding its impacts in early February. An officer group was formally established in February and began to consider and plan for the implications for council services. The council moved to an incident command structure on 17 March 2020 when a public health emergency was declared. That structure remains in place.
13. The discussion at the meeting looked at the impact on, and changes to, the Council's work, the support the Council was providing to residents and businesses and the way the Council was working with partners to ensure an effective response to the unprecedented situation.
14. In January 2021, Cllr Reeve as Portfolio Holder for the Economy, presented the Economic Development Recovery Plan, which set out how a £1 million budget would be spent over three years to support economic recovery and growth in the district. The Committee supported the plan and considered it a well thought out piece of work, noting it had clear and measurable objectives.

## **Planning Obligations, Major Applications, Airport Fly-parking**

15. These three workstreams were commenced in the previous year. Due mainly to the impact on the organisation of the pandemic, progress has been extremely limited for much of the year.
16. The planning obligations review commenced with a task and finish group comprising Cllrs Evans, Criscione and Jones. Now-former councillor Anthony Gerard replaced Cllr Evans and latterly the group has comprised just Cllrs Criscione and Jones. The review was established to look at whether the Council is achieving the best outcomes for the district with regard to planning conditions obtained under S106 agreements.
17. Although it had been hoped the final report would be presented at the beginning of 2020/21, this proved impossible. However, stakeholder consultation was carried out during the year and a final report including recommendations was presented to the first Scrutiny meeting of 2021/22, concluding the work of this Task and Finish group.
18. At the request of Cllr Caton, a Task and Finish group was established to look at the issue of airport-related fly-parking, an issue affecting some communities in the south of the district. Cllrs Caton, Reeve and Driscoll began this work pre-pandemic. Cllr Reeve then became a Cabinet Member, necessitating his withdrawal. Although terms of reference were approved, limited progress has been made, due mainly to the impact on the pandemic not only on the Council but also on Stansted Airport.
19. The outcome of the work by the Planning Advisory Service (PAS) on major planning application processes remains outstanding. Officers are working with PAS to bring this to a conclusion.

## **Corporate Plan Delivery Plan**

20. Members of the Scrutiny Committee called in both the 2019/20 Delivery Plan and the 2020/21 Delivery Plan. Prior to the call-in of the 2020/21 plan, it had been an agenda item in an ordinary meeting of the committee.
21. At each call-in, concerns centered around what the Scrutiny Members who requested the call-in considered a lack of specificity in the document. They felt there were insufficient measurable targets and concerns were also expressed that their views had not been sufficiently taken into account when Cabinet approved the 2020/21 Delivery Plan.
22. The Portfolio Holder with responsibility for the Corporate Plan, Cllr Reeve, attended to explain the Executive's position on these matters and it was decided not to refer the decision back to Cabinet. A mid-year review of the Delivery Plan will however be conducted.

## **Commercial Investments, Medium-Term Financial Strategy, Budget**

23. At its September 2020 meeting, the Committee considered a report on local authority commercial investments at the request of Cllr Caton. Discussion focused on governance arrangements around investment decisions.
24. At the same meeting, the results of a mid-year review of the Medium-Term Financial Strategy were presented. The document had been comprehensively overhauled due to the financial impact of the Covid 19 pandemic and the efforts of the Director of Finance, the Assistant Director of Resources and the Finance Team were formally noted.
25. The 2021/22 Budget and Medium-Term Financial Strategy were discussed in February, prior to the reports going to Cabinet. The Committee questioned Cabinet Members around various areas of proposed spend including the Local Plan specifically and planning generally, climate change and economic development along with budget-related matters such as Council Tax collection rates and reserve levels. Ultimately the Committee voted to recommend the budget to Cabinet.

## **Climate Change Strategy and Interim Policies**

26. The Committee conducted pre-scrutiny of the Climate Change Strategy ahead of it going to Cabinet. Members supported the broad aims of the Strategy but expressed the view that they would have preferred to see a detailed action plan alongside the high-level document. The Committee is expecting to receive the action plan early in the 2021/22 year.
27. At the same meeting the Scrutiny Committee also looked at a series of Interim Climate Change Planning policies which were to be put in place ahead of the full Strategy. These were welcomed by the Committee.

## **Centre for Governance and Scrutiny Reviews**

28. During the year, the Centre for Governance and Scrutiny (CfGS) completed two reviews of the Council's scrutiny function – one looking at scrutiny generally and one giving advice on Local Plan scrutiny specifically.
29. Both reviews found areas of good practice and the CfGS made recommendations as to where the Council could build on these even further. These included the shift towards more pre-decision Scrutiny and the cross-party, non-political approach of the Committee. Areas of improvement identified included general understanding among councillors of the role of Scrutiny, support/resourcing of the function and work planning. With regard to the Local Plan, the CfGS recommended greater clarity regarding roles and responsibilities of the various committees within the Local Plan structure and suggested a Protocol should be created.
30. Both reviews were followed by virtual workshops, to which Members were invited.

## Local Plan

31. In 2020/21 the Committee began scrutinising the process of getting a new Local Plan in place. Quarterly meetings consider project management progress reports to ensure the process is on track; as well as feeding into the update to the Ministry of Housing Communities and Local Government.
32. The Committee has overseen the design and implementation of a new Project Management system to ensure delivery of the local plan against an agreed timeline. The Project Management arrangements comprise several elements:
  - a Local Plan Risk Register that is kept up to date in real time and which identifies all key risks, and identifies and monitors progress in mitigating each risk;
  - a Local Plan Workplan Dashboard which gives an overall picture of progress and tracks total numbers of local plan tasks shown with current status (red, amber or green);
  - a Workstream Status Report and Executive Summary which provides a succinct commentary on the Project Plan work, linked back to the Risk Register, and an overall assessment of progress for the whole project (red, amber or green);
  - an extract from the Local Plan Microsoft Project Database that shows all live tasks with detailed explanations and specific progress rating for each individual element.
33. The Scrutiny Committee reviews the four elements of the Project Management system at each quarterly meeting and asks questions of the Local Plan Project Manager. This process then allows the Committee the opportunity consider each quarterly update to Government about progress. The approach also enables the Committee to suggest any further action that the Council may wish to take to ensure the local plan is delivered on time in accordance with the Council's objectives. In this respect the Committee has adopted the style of a 'critical friend' in overseeing the Local Plan process.
34. The new Local Plan Project Management system was agreed by Scrutiny Committee in early October 2021 and since then there have two further meetings that have considered the quarterly local plan progress reports with the following outcomes:
  - In December 2020 the Quarter 3 Project Management Report was considered. At that time there were 126 live tasks in the Project Plan and the overall status of the project was assessed as 'amber' subject to an imminent decision by Council on the budget (which was subsequently confirmed) and action being taken to address staff recruitment (posts which were later successfully filled). The Committee also provided constructive comments to support the operation of the Local Plan Community Stakeholder Forum.

- In February 2021 the Quarter 4 Project Management Report was considered. At that time live tasks had increased to 323 with overall status assessed as 'amber'. At that time the main risk related to a lack of inhouse capacity to support the procurement of the local plan evidence base and the Committee discussed the potential for other local authority support (this was subsequently obtained through the County Council Procurement Team). The Committee also discussed the risks of unwanted development being pursued by promoters through the planning appeal system and the continued need for district and county officers to work closely together to resist these proposals.

35. Scrutiny Committee is intended to focus on the process elements of the Local Plan, while the Local Plan Leadership Group makes recommendations to Cabinet on the policy content of the plan.