

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**COUNCIL**

**24 October 2023**

**Report of the Chair of Overview and Scrutiny**

**Part 1- Public**

**Matters For Information**

**1 OVERVIEW AND SCRUTINY – ANNUAL REPORT**

**To provide a summary of the work of the Committee over the past year**

**1.1 Background**

1.1.1 This report sets out a summary of the activities and work undertaken by the Overview and Scrutiny Committee (O&S) over the past twelve months. Full details of all the reviews undertaken and other matters considered by the Committee over this period are set out on the Council's website.

1.1.2 In the last 12 months, 6 programmed meetings of the Committee took place, plus an additional meeting to accommodate one of the two "Call-Ins". In addition to these formal meetings the Chairs and Vice Chairs of O&S and the Chairs and Vice Chairs of the three Scrutiny Select Committees (SSC) have undertaken a "Scrutiny Essentials" training session provided by the Centre for Governance and Scrutiny in October 2022. There has also been one workshop between Cabinet Members and the Chair of O&S and the Chairs and Vice Chairs of the SSC's in October 2022.

**1.2 Reviews over the year**

1.2.1 Set out below are details of the Committee's main meetings and a brief description of the work undertaken.

**1.3 O&S Committee Meeting – 6 October 2022**

1.3.1 The agenda for this meeting included the Planning Enforcement Review and the Annual Review Letter from the Ombudsman.

1.3.2 Members were invited to consider an updated version of the Planning Enforcement Plan, alongside a PowerPoint presentation in respect of the Planning Enforcement Tracker Tool.

1.3.3 All recommendations from this review were subsequently considered and endorsed by Cabinet and Council.

#### **1.4 O&S Committee Meeting – 17 November 2022**

- 1.4.1 The agenda for this meeting included an Executive Decision “called in” – Sports Development and Youth Provision. Members of the Committee considered the grounds for the call in and had regard to the responses provided by the Cabinet Member for Community Services. There was detailed discussion on the merits of the proposals and the concern raised in relation to impacts on vulnerable people and communities. The Cabinet Member reminded the Committee of the challenging financial position faced by the Borough Council, but recognised the importance of embracing diversity with reference to the Leisure Pass Scheme and consideration would be given to improve diversity and disability access. Following a formal vote, there were no further recommendations to make to the Cabinet, therefore the proposals in respect of Sports Development and Youth Provision could be implemented.
- 1.4.2 The Corporate Strategy Consultation Draft was also discussed at this meeting, with attention drawn to the four priorities set out in the Strategy. Members commented on the proposals for public consultation and a number of minor and factual corrections were identified. The Committee recommended the Corporate Strategy Draft to Cabinet for approval.
- 1.4.3 There was also an information report on the Tonbridge and Malling Leisure Trust in response to a Member request. The report outlined savings over the past 9 years as a consequence of the Council’s decision to outsource to a local Trust.

#### **1.5 O&S Committee Meeting – 26 January 2023**

- 1.5.1 The Committee considered the Capital Plan Review 2022-23 and all recommendations from the Review were referred to Cabinet for endorsement. The Revenue Estimates were also considered and endorsed for referral to Cabinet along with the recommendation to update the Savings and Transformation Strategy to reflect that latest funding gap as part of the budget setting process.
- 1.5.2 There was also a Review of Section 106 Matters. This included recommending to Cabinet a revised S106 Protocol and process including the new monitoring structure.

#### **1.6 O&S Committee Meeting – 6 April 2023**

- 1.6.1 The Committee considered the Corporate Strategy – Community Consultation and the final amendments required following feedback received from residents. The Strategy and Action Plan with aligned Key Performance Indicators were commended to Cabinet for approval.
- 1.6.2 The Committee also considered a proposed response to the DLUHC Technical Consultation and that it be endorsed and submitted on behalf of the Borough Council.

1.6.3 A Scoping Report – Governance Arrangements was also given consideration, but it was decided that the final stage of this review would take place later in the year to allow new Councillors an opportunity to assess the arrangements.

## **1.7 O&S Committee Meeting – 29 June 2023**

1.7.1 Member Call in Protocol – Development Management, was considered by the Committee. The amendments were aimed at making the process clearer for both Members and officers and encouraged a collaborative approach. All recommendations were endorsed.

1.7.2 A Scoping Report considered Housing Associations Performance Framework and the Committee decided which of the suggested scoping considerations they wished to be progressed for the main report. It was also agreed that Clarion Housing (as the largest provider of affordable housing in the borough) be invited to a meeting of the O&S Committee to advise of their work in the Borough and to detail performance.

1.7.3 In addition, the Committee had an information report which detailed the Decarbonisation and Energy Efficiency Measures at Leisure Trust Sites.

## **1.8 O&S Committee Meeting – 1 August 2023**

1.8.1 Following a valid “Call In” request of the Decision Notice in relation to TMBC Owned Sites – Local Plan, five members of the Committee raised the Call-In in respect of three sites identified in the Urban Capacity Study. A response was provided by the Cabinet Member for Climate Change, Regeneration and Property and the Leader. Following a formal vote, the grounds for the Call In were not supported and the proposals were implemented with immediate effect.

## **1.9 O&S Committee Meeting – 14 September 2023**

1.9.1 Clarion Housing provided a comprehensive PowerPoint presentation regarding the organisations operations in the Borough including detailed performance on repairs, changes to services, casework processes, estate management and voids turnaround. There was also information regarding how anti-social behaviour was addressed.

1.9.2 The Committee also considered the final report of the Review of Governance Arrangements and the changes that have taken place since May 2022. The increase in the number of scrutiny committees was generally considered positive but it was recognised that further time was needed to identify if any further, or significant, changes were required. Recommendations from the Review were referred to Cabinet.

1.9.3 A Scoping Report – Review of Outside Bodies was considered, with options for the final stage of the review agreed by the Committee. Further evaluation of

Outside Bodies and the Council appointments to these organisations will be considered at the next meeting.

- 1.9.4 Finally, the Annual Local Government and Social Care Ombudsman – Annual Review Letter was considered as an information report at the meeting.

### **1.10 Summary of activity**

- 1.10.1 Overall, it has been a busy and productive year for the Committee, with two “Call-Ins” and a number of reports/papers/presentations considered and referred to Cabinet. Going forward it has been agreed that additional meetings will take place between the Chairs of O&S and the Chairs of the SSC’s along with greater liaison between the Chair of O&S and the Cabinet. An additional Scrutiny Training Session is also planned for the coming months.

- 1.10.2 The Chair of the Committee commented as follows:

“The O&S Committee hit the ground running at the beginning of the year with interesting reports coming thick and fast. The need for scrutiny will not diminish and with a challenging financial environment the norm, I hope we will continue to identify areas that need dusting off. I am looking forward to working more closely with both the Executive and chairs of other SSC’s.”

Background papers:

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Nil

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Chair of Overview & Scrutiny Committee