



**MINUTES of  
OVERVIEW AND SCRUTINY COMMITTEE  
20 JANUARY 2022**

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**PRESENT**

Chairman	Councillor V J Bell
Vice-Chairman	Councillor C Mayes
Councillors	M G Bassenger, Miss A M Beale and M W Helm
In attendance	Councillors C Morris and K M H Lagan

**463. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

**464. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B B Heubner, C P Morley and R P F Dewick.

**465. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 14 October 2021 be received.

Minute No. 334 – Apologies for Absence

That apologies of absence were received from Councillor A M Beale.

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 14 October 2021 be confirmed.

**466. PUBLIC PARTICIPATION**

No requests had been received.

**467. DISCLOSURE OF INTEREST**

There were none.

#### **468. REVIEW OF RECENT SCRUTINY REQUESTS BY MEMBERS**

The Committee considered the report of the Overview and Scrutiny (O&S) Working Group that updated the Committee on recent Working Group meetings and recommended courses of action on recent Member requests for scrutiny items.

The Chairman introduced the report and took the Committee through the detail. She advised that the O&S Working Group had met on two occasions last year, in November and December 2021, and considered five Member suggestion forms.

Section 3.3 of the report provided a high-level summary of the five items together with suggestions from the O&S Working Group. Two items in particular, Parks Team Culture and Planning Enforcement were recommended for watching brief review as work was already underway to address issues. Members were encouraged to feedback on the information they would like to see by way of assurance on these areas. The Committee agreed that in respect of parks team culture qualitative data around satisfaction, and information about what forums are given for staff feedback, would be helpful.

It was further noted that, under the Learning from a Recent Tribunal item, (attached at Appendix B, pages 16/17) the learning outcomes from the recent review led by Human Resources had been endorsed by Corporate Leadership Team and a full response had been provided to the O&S Working Group, therefore, no further scrutiny was required. There were no additional items recommended for inclusion on the Committee Workplan.

The Chairman put the duly seconded recommendations to the Committee, and they were agreed by assent.

#### **RESOLVED**

- (i) That the Committee reviewed the detailed forms attached as Appendix B and is assured that the Working Group process is happening effectively;
- (ii) That the Committee approved the recommended courses of action suggested by the Working Group as set out in section 3.3 of the report.

#### **469. PROCESS IMPROVEMENT REPRESENTATIVES**

The Committee considered the report of the Director of Strategy, Performance and Governance that sought to appoint two Members to work alongside the Process Improvement Team for website and customer feedback.

The Chairman deferred to the Programmes, Performance and Governance Manager who introduced the report. The Chairman then opened the debate and nominated herself. Councillor M W Helm then nominated Councillor C Mayes. Both these nominations were duly seconded.

The Chairman put the nominations to the Committee for approval and they were agreed by assent.

**RESOLVED** that the following Members were appointed to work alongside the Process Improvement Team:

- Councillor V J Bell;
- Councillor C Mayes.

#### **470. SCRUTINY WORKPLAN ITEM - PROPOSED CONVERSION OF SEATING SHELTER AT PROMENADE PARK MALDON INTO A SERVICE KIOSK**

The Committee considered the report of the Director of Strategy, Performance and Governance that required the Committee to receive and consider information in response to the agreed scrutiny questions to be addressed in relation to the proposed conversion of seating shelter at Promenade Park Maldon into a service kiosk.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She took the Committee through the report and advised that the Committee had agreed to include this in the Overview and Scrutiny workplan in October 2021. The Corporate Governance Project Officer had since conducted an investigation, and this was set out in 2.2 of the report. The findings confirmed that Officers acted within delegated powers.

It was noted that whilst the information provided assurance that Officers acted appropriately the report also highlighted a wider finding that 'more could be done to improve the transparency of delegated decisions'. A new internal process for recording delegated decisions had been introduced, with the aim of publishing a quarterly list to the website by April 2022.

A lengthy debate ensued where Members discussed both the emotional and financial dimensions to be considered when managing assets. Further issues were raised about the status of various management plans and whether this item of business was appropriate for closure at this point in time or further scrutiny was required.

In response to issues raised by Members, Officers provided the following information:

- That the recommendation on this item was that it be closed as covered in Section 2.2 of the report. Officers were happy to bring a separate report back to Committee to clarify the delegated decision process.
- That the Annual Report to the Overview and Scrutiny Committee will include an overview of progress on all actions taken across the year.
- That should the outstanding work on the management plans, namely, Promenade park, Riverside park and Cemeteries Services require external support due to capacity issues, additional funding would be sought through the Strategy and Resources Committee.

Councillor Lagan who had originally submitted this scrutiny item then addressed the Committee. He said he was disappointed at the level of communication with Members during the delegated decision-making process and felt that with earlier and better intervention different decisions may have come about. It was agreed that transparency was paramount.

In response to concerns expressed Officers responded as follows:-

- That Officers were acting within the scheme of delegation, no procurement process was required therefore there was no need to go out to tender. Decisions were taken within the delegated powers process, above market valuation was reached, thus achieving best value for money.
- That whilst communication could have been better, it was noted that Member briefings and one to one briefings were organised, however attendance was low due to a lack of availability.
- That the work being undertaken on this and other assets was supporting the Council's Commercial Strategy that Members have signed up to.

- That the delegated powers had been followed correctly, an approach had been made by a local successful business operator which had now resulted in an income generating project for the Council.
- As previously mentioned, Officers reiterated that they were happy to bring a separate report back to Committee to highlight the delegated decision process.
- That an update on the delegated decisions, as well as other actions that have come out of workplan items of the committee will be included in the annual report of overview and scrutiny that is delivered for the municipal year.

There being no further discussion the Chairman put the recommendation, duly seconded by Councillor Mayes, to the Committee and it was agreed by assent.

**RESOLVED** that the responses to the specific scrutiny questions to be addressed provided sufficient assurance and understanding of the background to this matter so as to enable the Committee to conclude its work on this item.

**471. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT**

There were none.

The meeting closed at 8.12 pm.

V J BELL  
CHAIRMAN