

ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2023 / 24

1.0 Councillor S J N Morgan was elected Chairman of the Committee for the 2023 / 24 municipal year, with Councillor P L Spenceley elected as Vice-Chairman. All members of the Committee were appointed to serve on the Committee's Working Group. Councillor P L Spenceley was appointed as the Council's District Representative on the County Council's Health Overview Policy and Scrutiny Committee.

2.0 Over the past year the Committee has dealt with the following scrutiny items:

Subject	Status / Learning outcomes and actions	Update
<p>Notice of Motion relating to a successful planning appeal and award of costs against the Council – site at Burnham-on-Crouch (Councillor A S Fluker)</p> <p>Planning decision-making</p>	<p>This motion having been referred by the Council was accepted by the Committee at its meeting in July 2022 and added to its scrutiny workplan.</p> <p>Added to this scrutiny item is the reference from the July 2022 meeting of the Council. This arose from another appeal decision and an award of costs in relation to site at Burnham-on-Crouch. The Council having emphasised the need for more objective and evidence-based decision-making in the future.</p>	<p>The Committee and its Working Group have continued to look at two other matters. The first involves the concept of a constitutional 'brake' – the invoking of an automatic deferment when a Planning Committee reaches a position of being minded to refuse an application contrary to the recommendation of Officers.</p> <p>The second involves the proposed introduction of technical briefings / presentations to Members, outside of the formality of the Planning Committee setting, on certain complex applications.</p> <p>At a meeting of the Committee on 5 March 2024 it was agreed to recommend to the Council via the Performance, Governance and Audit Committee a change to the Constitution to include the proposed 'brake'. Improvements to the process for Officer presentations to Committees on planning applications were also endorsed.</p>
<p>Planning Enforcement – performance and processes</p>	<p>Scrutiny requests had previously been raised by Councillor M G Bassenger and also former Councillors K W Jarvis and C Swain. After an initial watching brief the Committee decided to add the item to its scrutiny workplan.</p>	<p>The Committee and its Working Group continued to receive information on resourcing, processes, and performance through the year. The number of open cases at the beginning of the year had been halved by mid-June.</p> <p>At its meeting in December 2023 the Committee decided that the matter need no longer be on the scrutiny workplan but should remain under a watching brief. Regular updates continue to be received by the Working Group and the</p>

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		Committee is keen to work with Officers in connection with the pending review of the Planning Enforcement Policy.
Staff Exit Questionnaires	<p>Reference from the Performance Governance and Audit Committee in September 2022 that the Committee reviews the outcomes from these.</p> <p>The Committee in October 2022 agreed to add this to its scrutiny workplan.</p>	Due to the low take-up of Exit Questionnaires by staff leaving the Council there has been little or no evidence of particular themes that can be scrutinised to date.
Cyber Security Update	<p>Reference from the Performance, Governance and Audit Committee in September 2022 that the Committee reviews the audit and technical reports on this matter.</p> <p>The Committee in October 2022 agreed to add this to its scrutiny workplan.</p>	In the light of the audit and technical reports received at the time, and positive conclusions reached in a subsequent Internal Audit report, the Committee at its December 2023 meeting decided that this item be deleted from its scrutiny workplan.
Safeguarding of Children and Vulnerable Adults – corporate risk update	Reference from the Performance, Governance and Audit Committee in January 2023 for review to ensure that the Council is supporting this area of work appropriately together with the Officers undertaking the actual work. This was then added to the Scrutiny Workplan.	At its December 2023 meeting the Committee received a full update on the issues previously giving rise to the increased risk rating, in particular the operation of the Safeguarding Forum. Reporting processes and the Safeguarding Policy, the latter due for review, remain robust. At the March 2024 meeting of the Committee, it was decided that this matter required no further scrutiny but would be kept on a watching brief by the Working Group.
Maldon Citizens' Advice (MCA)	<p>This originated from a scrutiny request by Councillor S J Morgan following a Member visit to MCA. Arising from this, concerns were expressed as to whether the Council was doing enough to assist those customers without on-line access to Council services, or who found on-line access to services difficult to navigate.</p> <p>The Committee's Working Group in October received detailed information on these issues and the work of this</p>	<p>At the December 2023 meeting of the Committee, it was decided to endorse the findings of its Working Group and refer to the Council the findings of this scrutiny. In so doing, the Committee wished to draw Members' attention to the financial implications of the contractual arrangement with MCA and the excellent value for money delivered by way of supporting a wide range of services so that this is borne in mind when the contract is reviewed in 2024.</p> <p>At the February 2024 meeting of</p>

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	organisation and its partnered arrangement to support the work of the Council.	the Council, the recommendations of the Committee were received and accepted.
Corporate Project – Land acquisition at Heybridge	<p>This originates from a scrutiny request by Councillor A S Fluker.</p> <p>Although this matter was the subject of a report to the Council in November 2023, the request seeks a closer look at the circumstances which led to this project being withdrawn, the Council's valuation, and also whether the management of the project was sufficiently robust.</p>	<p>In line with the process for considering scrutiny requests from Members, this matter received initial consideration by the Working Group in January 2024. Further information was requested as to the progression of the financial aspects that led to the project being withdrawn.</p> <p>At the February and March meetings of the Working Group further information was requested and considered to enable a fuller understanding of a range of issues raised, and also the history of this project. At the March meeting it was agreed to recommend to the Committee at its meeting on 25 April 2024 that further consideration of this scrutiny request be undertaken in the light of the completion and availability of a 'lessons learned' report compiled by the project team. This is with a view to making recommendations on possible improvements to process for similar projects in the future. This was agreed, and the Committee's Working Group will consider and report further on this when the 'lessons learned' report becomes available.</p>
Provision of 3+ bed affordable housing, especially social rented housing	<p>This originates from a scrutiny request by Councillor E L Stephens.</p> <p>The request sought to establish why there is a greater lack of 3+ bed homes than for smaller properties, to ensure that affordable housing numbers are being calculated correctly, and to reduce the waiting time for 3+ bed homes.</p>	<p>In line with the process for considering scrutiny requests from Members, this matter received initial consideration by the Working Group in February 2024. Additional information and clarification was received at the March 2024 Working Group meeting. As a result, the Working Group recommended to the Committee at its meeting on 25 April 2024 that a level of understanding and assurance having been received this item did not require to be added to the scrutiny workplan. It was felt that there were other avenues where issues of concern on this subject could be pursued. This was</p>

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		agreed by the Committee with the matters of concern being referred to the Strategic Housing Board for further consideration.
Non-provision of improved facilities / adventure playground at Sensory Garden, Promenade Park, Maldon	<p>This originates from a scrutiny request from Councillor P L Spenceley.</p> <p>The request sought to establish why there this project had not progressed or been delivered following earlier public consultation. Various learning outcomes potentially applicable to the future similar projects were identified, including the need for improved communication with Members and the public.</p>	At the April 2024 meeting of the Working Group an Officer response was received. In the light of this the Working Group agreed to recommend to a future meeting of the Committee that a decision be made as to whether this should be added to the scrutiny workplan having regard to the level of assurance based on the Officer response and information received. Subject to that, it would be for the Committee to make recommendations on any improvements to process relating to future projects such as this.

- 3.0 While scrutiny of particular decisions and specific areas of work will form the bulk of the activity, the Committee has quite a wide remit which includes the monitoring and review of the performance of external bodies and stakeholders. At its December 2023 meeting the Committee decided to explore arrangements for a more focused engagement with representatives of local health service providers with a view to themed agenda items on future agendas. At a meeting of the Committee in March 2024 a presentation on a range of issues was received, with NHS colleagues in attendance. It is proposed that this is followed up at another meeting of the Committee in the near future.