



Chelmsford City Council Overview and Scrutiny Committee

10 February 2025

Annual Report on the Overview & Scrutiny Function 2023/24

Report by:

Director of Connected Chelmsford

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Purpose

To report on the activity of the scrutiny function of the Council for 2022/23, in accordance with the Local Code of Corporate Governance (Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability), which was adopted by the Council on 23rd April 2008.

Recommendations

That the Council be recommended to approve the Committee's Annual Report on the Scrutiny function for 2023/24 for subsequent publication.

1. Background Information

- 1.1. The Local Code of Corporate Governance was adopted by the Council on 23rd April 2008 (m6. 1, CL52,2008). Under the Code's Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability

– the Overview and Scrutiny Committee is required to produce an annual report on its work for consideration by the Council and subsequent publication.

1.2. The Committee's Annual Report on the Scrutiny Function for 2023/24 is attached at Appendix 1 to this report and covers the following matters: -

- Statutory provisions
- Terms of reference
- Membership
- Publication of information
- Work undertaken in 2022/23
- Future work for 2023/24
- "Call In" of Cabinet decisions
- Training and Development

2. Conclusion

2.1. Members are asked to recommend to Council that it approves the Committee's Annual Report for subsequent publication.

List of appendices:

Appendix 1 – Annual Report on the Scrutiny Function 2023/24

Background papers:

Nil

Corporate Implications

Legal/Constitutional: None

Financial: None

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: None

Health and Safety: None

Digital: None

Other: None

Consultees:

Chair and Vice Chair of the Overview and Scrutiny Committee

Relevant Policies and Strategies:

Local Code of Corporate Governance



CHELMSFORD CITY COUNCIL ANNUAL REPORT ON THE SCRUTINY FUNCTION 2023/24

**Councillor J. Jeapes
(Chair – Overview and Scrutiny Committee)**

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Background

(a) *Statutory Provisions*

Under the Local Government Act 2000 each local authority is required to establish at least one committee to review or scrutinise decisions taken by the Executive or any other part of the council and make reports to the council or to the cabinet. It can also report on any matters that affect the authority's area or its inhabitants. Its role includes both developing and reviewing policy and holding the Executive to account. The Committee has power to require Cabinet members and officers to attend before it to answer questions and it may also invite other people to attend its meetings.

Chelmsford Council chose, in 2005, to set up a single Scrutiny Committee. The Committee's first meeting was on 23rd May, 2005. It was later renamed the Overview and Scrutiny Committee by Council on 10th May, 2006.

New legislation came into effect in 2009 which placed additional duties on the Council and in respect of which it was required to make arrangements for their discharge. The legislation concerned was:

- The Police and Justice Act 2006 (Sections 19 -21), which placed a duty on all local authorities to scrutinise the activities of organisations comprising the local crime and disorder reduction partnership, and
- Section 119 of the Local Government and Public Involvement in Health Act 2007, which allowed councillors to ask for discussions to take place at an overview and scrutiny committee on issues of neighbourhood concern.

In December 2009 the Council agreed that the Overview and Scrutiny Committee take responsibility for those functions and that its terms of reference were amended accordingly.

The Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 3) Order 2010 brought into force on 15th June 2010 the requirement for local authorities to have a scheme for responding to petitions from people who live, work or study in the area. Petition organisers who are dissatisfied with the Council's response can ask for a review by the Overview and Scrutiny Committee. A report on this matter was agreed by Cabinet on 8 June and Council on 9 June 2010 and the Committee's terms of reference were again amended to reflect this additional function.

(b) *Terms of Reference*

The Terms of Reference of the Committee are contained in Part 3 of the Council's Constitution. They are as follows –

General role

To act as a channel for public involvement in the activities of the Council and other bodies operating in the City; to oversee the proper and efficient administration of the Council; to review the effectiveness of its work and services; and to support and

complement the activities of the Cabinet, whilst at the same time scrutinising them and offering constructive comment or advice where appropriate.

Specific role

- monitor the performance of the Council's services, carry out detailed reviews of them where considered necessary and report any resulting recommendations to the Cabinet;
- review the decisions, decision-making processes and activities of the Cabinet, other Council bodies and in respect of the Committee's own work to ensure that they comply with the requirements of the Constitution and the policies of the Council;
- monitor the activities and performance of external bodies, liaising with them where necessary, and carry out detailed assessments of the effectiveness of services provided by them if any apparent shortcomings are identified;
- scrutinise the work of the community safety partnership (Safer Chelmsford) and the partners who comprise it, insofar as their activities relate to the partnership itself and exercise all the other functions of a crime and disorder committee pursuant to Section 19 of the Police and Justice Act 2006;
- consider Councillor Call for Action requests following agreement by the Chair and Vice-Chair of the Committee after consultation with the Director of Corporate Services
- consider and respond to petitions, requesting that officers appear before the Committee to answer questions on functions, services or decisions for which they are responsible
- review the Council's handling of or responses to petitions where the petition organiser is dissatisfied with the action taken.

The Committee will also be responsible for

- providing opportunities for officers to acquaint members with the operation of the Council.

(c) Membership of the Committee

The Committee had 13 members, all Members of Chelmsford City Council. They are appointed by the full Council at its Annual Meeting in May of each year on a proportionality basis. No member of the Cabinet may be a member of the Committee.

In 2023/24 the membership of the Committee comprised the following members:

LD Councillors H. Clark, P. Davey, A. Davidson, J. Deakin, K. Franks, A. Thompson (Vice Chair), and S. Young

CON Councillors V. Canning, S. Dobson, J. Jeapes (Chair), M. Steel, M. Taylor (May 2023 to December 2023), and P. Wilson (from December 2023 onwards)

IND Councillor S. Davis

Following the Annual Council Meeting on 15th May 2024, the membership is as follows –

The Committee is currently chaired by Councillor J. Jeapes who is a member of the Opposition group on the Council (the Conservatives).

LD Councillors D. Clark, H. Clark, P. Davey, J. Deakin, K. Franks, L. Mascot, and A. Thompson (Vice Chair)

CON Councillors V. Canning, S. Dobson, J. Jeapes (Chair), M. Steel, and P. Wilson

IND Councillor S. Davis

(d) Programme of Meetings

The Committee met on four occasions in the municipal year 2023/24. It has five meetings programmed for 2024/25. Additional meetings may be arranged as required, including any which may be necessary if any decisions of the Cabinet become subject to the 'Call In' procedure mentioned in Part 3 of this Report.

(e) Publication of Information

The agendas for the Committee's meetings are published on the Council's website not later than five clear days before the date of each meeting. The minutes of each meeting are also published on the website as soon as possible after each meeting has taken place.

Work Programme 2023-24

The main areas of activity considered by the Committee during the municipal year (May to May) 2023/24 were as follows –

| <u>Subject</u> | <u>Date(s) considered</u> |
|----------------------------------------------------------------------------------------|---------------------------|
| Annual Report from the Chelmsford Policy Board | 18 July 2023 |
| Report from Cultural Strategy Task & Finish Group | 18 July 2023 |
| Report of Decisions Taken Under Delegation to the Chief Executive | 18 July 2023 |
| Annual Report on the Overview & Scrutiny Function 2022/23 | 18 July 2023 |
| Decision Called In – PSPO on Hylands Park | 19 October 2023 |
| Cabinet Portfolio Update – Leader of the Council | 19 October 2023 |
| Cabinet Portfolio Update – Deputy Leader and Cabinet Member for a Connected Chelmsford | 19 October 2023 |
| Report on Cultural Strategy Task & Finish Group | 20 November 2023 |
| Cabinet Portfolio Update – Cabinet Member for a Growing Chelmsford | 20 November 2023 |

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| Cabinet Member for a Growing Chelmsford's Annual Report on Housing Delivery | 20 November 2023 |
| Report on Decisions Taken Under Delegation to the Chief Executive | 20 November 2023 |
| Cabinet Portfolio Update – Cabinet Member for a Greener and Safer Chelmsford | 12 February 2024 |
| Annual Presentation by Safer Chelmsford Partnership and Essex Police | 12 February 2024 |
| Presentation on Essex Violence and Vulnerability Partnership | 12 February 2024 |
| Presentation from Essex Countywide Traveller Unit (ECTU) | 12 February 2024 |

The work programme functions on a rolling basis with standard items being the following;

- Cabinet Member Portfolios (including the Annual Report on Housing Delivery) – items were presented every Overview and Scrutiny Committee meetings and this is to meet the requirements on the Local Government Act 2000 to scrutinise functions of the executive.
- Annual Report of Overview and Scrutiny Committee – this item would need to be considered at July Full Council along with the Annual Reports for Governance and Audit & Risk Committees.
- Report on Decisions Taken under Delegation to the Chief Executive – it is a requirement for the Overview and Committee Scrutiny to consider and note any urgent decisions that were taken under the delegation to the CEO. This is reported bi-annually.

The Overview and Scrutiny Committee also took on the role of scrutinising Safer Chelmsford to meet the requirements of the Police and Justice Act 2006, which stated that there must be a formal place where community safety matters can be discussed. The presentations on the Safer Chelmsford Partnership and by the Essex Police are both made to the Committee annually at its February meeting, so that cross-cutting issues can be identified and discussed.

There were also two standalone items that were added by Members of the Overview & Scrutiny Committee to the work programme for this municipal year. These items were;

- Presentation on Essex Violence and Vulnerability Partnership
- Presentation from Essex Countywide Traveller Unit.

The minutes of the Committee meetings for this municipal year can be accessed below:

- Minutes of the meeting on [18th July 2023](#);
- Minutes of the meeting on [19th October 2023](#);
- Minutes of the meeting on [20th November 2023](#), and;
- Minutes of the meeting on [12th February 2024](#).

Task and Finish Groups

Members of the Overview and Scrutiny Committee form small “Task and Finish” groups to look into a particular subject or service where appropriate. They work with officers

to find out more about the service area and to identify possible improvements. They attend site visits, forums and meetings and undertake research as necessary in order to obtain further understanding and information to support the review. Their findings are fed back to the rest of the Committee in the form of a report and recommendations. In addition to ensuring value for money and that things are done correctly, 'Task and Finish' groups provide excellent development opportunities for Members, help to maintain good Member/Officer relations, raise awareness of issues and services amongst Members and can identify gaps in Member training.

During 2023-24, there was one Task & Finish Group to undertake a project evaluation of the Theatre refurbishment. There had been two meetings conducted so far and the next meeting would be scheduled in mid-June.

'Call-in' of Cabinet Decisions

This Council's Executive Arrangements, made under Section 21 of the Local Government Act 2000, provide an opportunity for Members to require that the Overview and Scrutiny Committee review a decision taken by the Executive (Cabinet) but not yet implemented. Depending on its conclusion, that Committee could then request that the Cabinet reconsider, and possibly amend, that decision.

The procedure for "calling in" Cabinet decisions is set out in the Council's Constitution (Part 4.5 – Overview and Scrutiny Rules – Rule 4.5.11). In brief this provides that at least five Members of the Overview and Scrutiny Committee must request the call-in in writing, setting out their reasons, and the request must be received by the Council's Legal and Democratic Services Manager by 5 p.m. on the fourth working day after the Cabinet decision was taken.

During 2023-24, one Cabinet decision had been called in regarding [the decision taken in regard to the Public Spaces Protection Order at Hylands Estate surrounding dog-walking](#). The Cabinet decision was upheld by the Overview & Scrutiny Committee.

Future Projects

The Committee keeps its work programme under constant review. The work programme is considered at the end of each meeting.

Training and Development

There was a training session at the beginning of the new year before the meeting on the July 2023. Members of the Overview and Scrutiny Committee, which were largely new members, were briefed on the functions of the committee; how the committee works; and, the work programme. The new Chair was also introduced in this training session as well as all the members of the committee.
