

## REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

### REPORT OF THE REVIEW COMMITTEE

#### 1 Annual Report

- 1.1 The Constitution states that ‘the Review Committee must report annually to Full Council on its workings and make recommendations for future work programmes and amended working methods, if appropriate’.
- 1.2 At its meeting on 2 April 2019 the Review Committee approved its Annual Report for submission to Council, which is appended to this report.

#### 2 RECOMMENDATION

- 2.1 It is proposed that Council **RESOLVES** to receive the Annual Report, as appended.

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# Review Committee Annual Report 2018/2019



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# 2 Glossary

CSP	Community Safety Partnership
ECC	Essex County Council
ICT	Information and Communications Technology

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### **3 Introduction**

- 3.1 During the 2018-19 Municipal Year the Review Committee has considered a number of topics both as a whole Committee and in smaller teams, reporting back to the main Committee once the team has completed its work. Details of the Reviews are outlined further on in this report.
- 3.2 In addition to the Committee's role of conducting Reviews, it also has the duty to scrutinise decisions made by the Executive. As part of this role the Committee studies the Key Decisions Document on a monthly basis.

## **4 Review of the Constitution**

- 4.1 This review was carried over from the previous Municipal Year and further interim reports and recommendations were made by the team looking into this topic. Reports were received by the Review Committee in June and July 2018 with the contents and changes being recommended to Council for adoption.
- 4.2 The final report of the group was submitted to the April 2019 meeting.

## **5 ICT Review**

- 5.1 Following the team's interim report to the Committee in April 2018 the team has met with officers several times to monitor the migration of the Council's servers from the Eduserv data centre to the Azure Cloud.
- 5.2 A final report is being prepared and will be submitted to the June 2019 meeting of the Committee.

## **6 De Montfort University Local Governance Research Unit Report**

- 6.1 During the last Municipal year Members were sent a copy of a report prepared by the De Montfort University and the Municipal Journal Councillor Commission entitled 'The Voice of the Councillor'. It was decided at the March 2018 meeting that a project group would be formed to examine the recommendations contained in the report in more detail and to decide which of the recommendations should be supported by the Review Committee.
- 6.2 The project team considered the report and its implications over several meetings and came to the conclusion that there were two areas that could meet the objectives of the report authors and assist Rochford District Council.
- 6.3 Both areas would give a voice to all Councillors on the Council and would allow them all a possible say in the formation of policies and initiatives that the Council instigates.
- 6.4 It was noted that a key part of an Overview & Scrutiny (O&S) Committee's work was usually policy development and this had formed a part of the O&S training received.

- 6.5 In the past, recommendations were made to and by the Review Committee in respect of various policy related topics that needed examining but this has not been the case for a number of years. Also, the Key Decisions document does not contain sufficient details of policies that are due to be implemented in the mid to long term so it is difficult to select ideas via this source.
- 6.6 The working party concluded that the Leader could be invited to attend the Review Committee to detail the plans for the Council for the next year and beyond and suggest any areas that the Committee may like to examine in terms of possible policy changes that could improve/develop the Council's offering.
- 6.7 It would then be up to the Committee to decide what items it would be able to assist with, allowing for capacity.
- 6.8 The working party felt that any policy development work could be done by the Committee as a whole, with smaller groups being formed to look at parts of the review as and when needed.
- 6.9 The working party also recognised that it could be difficult for opposition Members and those who were not part of the Executive to make a detailed case in relation to a motion on notice because, at the current time, there is no facility for the production of a supporting report.
- 6.10 Currently, whilst opposition groups are allowed officer support to work up alternative ideas in respect of the budget, this does not extend to policies or ideas they may wish to put forward.
- 6.11 It was agreed that it would be useful for there to be a process that was simple and designed to give Members the chance for some support in putting forward motions when it was felt to be needed. It would be important, however, to ensure that officers were not overwhelmed with items being put forward to Full Council as motions on notice, where officer support would be of value.
- 6.12 The working party acknowledged that there was a need to be mindful of available resource. It was felt, however, that as long as items put forward could be contained within the normal duties of officers, and that there was a control over how many items were put forward, there should not be any material increase in staffing costs with this initiative.
- 6.13 It was felt that it should be up to the Members putting forward a motion whether or not they wanted the involvement of the Portfolio Holder.
- 6.14 An amendment to the Council's Constitution, providing wording reflecting the above, was formulated and submitted to the meeting.

- 6.15 The project team's recommendations were endorsed by the Committee and subsequently accepted by Full Council at its meeting in December 2018.

## **7 ICT Outage**

- 7.1 Due to equipment failure within the Council's ICT server room on the weekend of 18 August 2018 and a catastrophic electrical failure within Eduserv's data centre on 21 August 2018, telephone and computer systems were inaccessible.
- 7.2 Following a request from a member of the Committee a report was received on the cause and effects of the outage at the October meeting.
- 7.3 Whilst business continuity measures were in place to avoid loss of service for a prolonged period it was identified that there were some areas for improvement.
- 7.4 The Committee were advised on what the Council was doing to improve its business continuity plans in the event that they were needed in the future.

## **8 Community Safety Partnership**

- 8.1 Under the Police and Justice Act 2006, every local authority is required to have a Crime and Disorder Committee with the power to scrutinise the local Community Safety Partnership (CSP), as a whole, in terms of how they are tackling crime and disorder for the benefit of the local communities. This function is undertaken by the Review Committee. Under the Act the Committee must meet at least once a year to fulfil this function.
- 8.2 These requirements were enacted by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 which came into force for local authorities in England on 30 April 2009.
- 8.3 At the March 2019 meeting Members were advised of the progress made against the 2018/19 Rochford District Community Safety Partnership action plan along with updates on the CSP's activities during the year.

## **9 Overview of the Key Decisions Document**

- 9.1 During the year the Committee continued to monitor the decisions due to be made by the Executive and its Members. The Committee studied the Key Decisions Document on a monthly basis asking for further details as and when they felt it necessary.

- 9.2 The Committee has found this a useful way to explore the reasons behind decisions being made and to reduce the need to consider the call-in of a decision after it has been made.

## **10 Initial 2018/2019 Work Programme**

- 10.1 At the June and July 2018 meetings the Committee considered the list of possible topics for the work plan and agreed the following:-
- Housing and Homelessness Strategy - a consultation was taking place between July and September 2018 on the new Strategy. It was felt that it would be timely to include this review at the Committee's September meeting as feedback on the responses from the consultation would be available by then and the Committee could have input prior to the Strategy being finalised.
  - Enforcement of Dog Fouling: to review how enforcement in this area could be improved. The Assistant Director, Environmental Services would be asked to report to the Committee later in the year.
  - Operation of the Development Committee: To review the extent to which the objectives stated within the decision taken by Council on 20 October 2015 to change the size of the Development Committee from 39 to 13 Members had been achieved. The Assistant Director, Planning and Regeneration Services would be asked to provide a report to the Committee.
  - Removal of payment machines in Council reception areas: review of the alternative arrangements in place for residents to make cash payments. Residents had found that methods of payment under the new Council policy were limited, with no facility for people wishing to make payment by cash, which could cause hardship for some residents. It was subsequently agreed that a report would be prepared for the October meeting of the Committee.

## **11 Regulation of Investigatory Powers Act 2000 (RIPA)**

- 11.1 As part of the Council's procedures around the Regulation of Investigatory Powers Act Members of the Review Committee receive a report on any changes that are required to be made to the Council's policy and its use of RIPA during the previous year.

- 11.2 On 18 April 2018 the Council's RIPA policies were the subject of a desktop review by the Investigatory Powers Commissioner's office. This review identified some confusion within the document relating to the use of Covert Human Intelligence Sources (CHIS).
- 11.3 It also highlighted the changes that needed to be made regarding guidance as to the use of the internet and social media during investigations.
- 11.4 Following discussions with other authorities the decision was taken that it would be more appropriate to discontinue the use of CHIS completely and so this was included as a statement and all other references to CHIS were removed.
- 11.5 In addition, a new policy relating to the use of Social Media in relation to investigations was drawn up based on one from Colchester Borough Council that had already been approved by the Investigatory Powers Commissioner's Office (IPCO).
- 11.6 This report came to the Committee's November 2018 meeting.

## **12 Other items considered by the Committee**

- 12.1 It was agreed during 2012 that the Committee would in future be responsible for systematically scrutinising the Treasury Management Strategy in advance of this being reported to Council. The Committee received three reports during the year, in July 2018, December 2018 and February 2019.
- 12.1 At the January 2018 meeting Members received a report on how the Council would respond to an emergency and how the work taking place would prepare the Council to meet future risks. It was agreed that this item would come back to the Committee this Municipal year and a further update was received at the June meeting.
- 12.2 During the previous Municipal Year Members received a report regarding the Council's use of social media and, at the time, Members asked for an update to come to the Committee this year. This item came back to the Committee at the November meeting.
- 12.3 At the June meeting Members received a report on the delivery of the Building Control Service. The Committee noted the progress made in implementing the new structure to stabilise and improve the performance of the Building Control Service.

## 13 Topics for future work programme

13.1 The following have been identified as possible topics for the work programme for the next Municipal Year:-

- (a) Grass cutting and management of open spaces in new developments.
- (b) Parking (what the Council offers and future requirements).

## 14 Performance Measures

14.1 The Review Committee has previously agreed a set of performance measures. These are listed below, with the results or comments linked to them.

1. Completion of Overview and Scrutiny work programme on time.

<b>Project</b>	<b>Scheduled Completion date</b>	<b>Actual Completion date</b>	<b>Reason for extension of date</b>
Constitution Review	April 2017	April 2019	Scope of the project
ICT / Telecoms review	To be agreed	April 2019	

2. The percentage of Overview and Scrutiny recommendations approved/rejected/acted upon by the Executive.

The Review Committee has not submitted any reports to the Executive during this Municipal year.

3. Number of external representatives involved in Overview and Scrutiny work per annum.

During this year the Committee has heard from representatives of one external body in relation to the items that have been examined.

4. Number of items on the work programme suggested by the public or in response to issues raised through surveys, comments or complaints.

None

5. Number of call-in notices received per annum.

None

6. The number of times that the Executive states that a decision is urgent and not subject to call-in.

During the year one decision has not been subject to call-in.