

Public Document Pack



OVERVIEW & SCRUTINY COMMITTEE

Thursday, 25 November 2021 at 7.00 pm
Conference Room, Civic Centre, Silver
Street, Enfield, EN1 3XA

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Councillors : Susan Erbil (Chair), Margaret Greer (Vice-Chair), Lee David-Sanders, Birsan Demirel, Mahmut Aksanoglu, Elif Erbil, James Hockney and Derek Levy

Education Statutory Co-optees: 1 vacancy (Church of England diocese representative), vacancy (other faiths/denominations representative), Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor Representative).

Enfield Youth Parliament Co-optees (2)
Claire Johnson (Head of Governance & Scrutiny & Registration Services)
Stacey Gilmour (Governance Officer)

AGENDA – PART 1

1. WELCOME & APOLOGIES

2. DECLARATIONS OF INTEREST

Members of the Council are invited to identify any disclosable pecuniary, other pecuniary or non-pecuniary interests relevant to the items on the agenda.

3. MINUTES OF PREVIOUS MEETING (Pages 1 - 6)

To agree the minutes of the Overview & Scrutiny meeting held on 8th September 2021.

4. FOOD POVERTY UPDATE REPORT (Pages 7 - 18)

To receive the report of Dudu Sher Arami, Director of Public Health.

5. CONSULTATION (Pages 19 - 48)

To receive the report of Philip Webb, Consultation Manager.

6. UPDATE FROM SCRUTINY PANEL CHAIRS

A verbal update to be provided by the Chairs of the Scrutiny Panels.

7. SCRUTINY ANNUAL REPORT 2020/21 (Pages 49 - 64)

To receive the Scrutiny Annual Report 2020/21 and agree to refer it to Council.

8. WORK PROGRAMME 2021/22 (Pages 65 - 68)

To note the Work Programme 2021/22

9. DATE OF NEXT MEETING

Business Meeting
Wednesday 1 December 2021

OVERVIEW & SCRUTINY COMMITTEE - 8.9.2021

**MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE
HELD ON WEDNESDAY, 8 SEPTEMBER 2021**

COUNCILLORS

PRESENT (Chair) Susan Erbil, Margaret Greer, Lee David-Sanders, Birsen Demirel, Mahmut Aksanoglu, James Hockney and Derek Levy

ABSENT Elif Erbil

STATUTORY CO-OPTES: *1 vacancy (Church of England diocese representative), vacancy (other faiths/denominations representative), Mr Tony Murphy (Catholic diocese representative), Alicia Meniru & 1 vacancy (Parent Governor representative) - Italics Denotes absence*

OFFICERS: Doug Wilkinson (Director of Environment & Operational Services), Sue McDaid (Head of Regulatory Services), Jon Sharkey (Regeneration & Environment), Mark Bradbury (Director of Property & Economy) and Shafiara Muttalib-Mehra (Build the Change Programme Director) Jane Creer (Secretary) and Robyn McLintock (Secretary)

Also Attending: Councillor Rick Jewell (Cabinet Member for Environment)

1

WELCOME & APOLOGIES

The Chair, Councillor Susan Erbil, welcomed all attendees to the meeting.

Apologies had been received from Councillor Elif Erbil and for lateness from Councillors Mahmut Aksanoglu and Birsen Demirel.

2

DECLARATIONS OF INTEREST

There were no declarations of interest.

3

TO AGREE MINUTES OF MEETING ON 20 & 21 JULY & 5 AUGUST 2021

AGREED the minutes of the meetings 20, 21 July and 5 August 2021.

4

FLYTIPPING UPDATE

RECEIVED the update circulated to Members, and presentation from Councillor Rick Jewell (Cabinet Member for Environment), Doug Wilkinson

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(Director of Environment Operational Services), Sue McDaid (Head of Regulatory Services), and Jon Sharkey (Head of Public Realm Services).

Points highlighted included:

- Increased flytipping was a national problem, not unique to Enfield, and had also been impacted by the Covid-19 pandemic and lockdowns.
- Key challenges included regular turnover in the resident population, lack of awareness about proper waste disposal, over-occupied properties, some types of properties with little space for waste storage or recycling, business over-generation of waste, the perceived low threat of being caught, and the lengthy legal processes to be followed.
- The strategic approach being followed by the Council included working with a number of services and other agencies.
- The Council had a good record around proactive flytip clearance but had not previously promoted all its activities.
- Measures to prevent recurrence were set out.
- More recently, a communication campaign was begun to increase public awareness, including on social media, to generate positive interest.
- There was robust enforcement, but processes had to be followed which were labour intensive and time consuming. Joint operations were conducted with the Police and with the Environment Agency. Outcomes were highlighted over the past five years. Prosecutions were now able to be put through the Single Justice System electronically, but there was a limit to 140 per month, and a limit on the Council for all court prosecutions of 12 per month.
- There had been recent service changes including waste enforcement team posts, and new deployable CCTV cameras, and the move to a free bulky waste collection service to be implemented this month. Also, additional refuse collection crews to carry out refuse collection from Council Housing Estates, and additional refuse collection vehicles and flytip crews.
- Case studies were quoted from other local authorities' approaches.
- Officers would like to see banning of cash transactions for waste removal, and tougher sentences from courts, and as much court time as possible provided for prosecution of flytippers.

Committee Members provided the following comments and questions:

1. The Chair asked about education around dumping of rubbish. It was advised that there had originally been plans to provide talks to residents and pop-up events: these had been put on hold but could now be re-started, including visits to schools. Awareness of the amount of rubbish dumping should be raised. Social media was an important educational tool. There had been engagement with residents on street walkabouts.
2. In response to queries about the bulky waste collection service, it was confirmed that details were being finalised and the free service would launch formally in the next few days. The service would be able to do up to 50 pick-ups a day, each of up to 6 items. Residents could make a booking online. There would be a small charge to reserve a specific pick up time, and there would still be a charge to collect white goods as they incurred a cost. Residents were encouraged to use any retailers' services to take away old items where possible when buying new. The bulky waste

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collection booking system would be monitored to ensure it was used fairly and not abused.

3. In respect of assisting councillors to relay information to residents, it was advised that the form on the website had been kept simple and the process easy to use. Its functionality would be monitored, including the drop-down menu of items. For reporting missed collections or flytips, the online system was quick, and should be used rather than the Members' Enquiries system.
4. Councillor Hockney commented that flytipping had been getting worse over the years and was his constituents' most commonly raised issue. He highlighted the introduction of fortnightly waste collections and of the appointment system at Barrowell Green recycling site, and impact on parks and the street scene. Councillor Jewell did not consider that changes to residents' waste collections impacted flytipping, as items dumped were not ones which would be normally put in dustbins. Most London boroughs moved to fortnightly collections before Enfield did. Some boroughs, but not Enfield, were now considering moving collections to every 3 or 4 weeks.
5. Reductions in numbers of enforcement activities were questioned. Sue McDaid advised that this had been linked to staffing shortage when officers left, but that new recruits were now in post.
6. In respect of a recent flytip at Whitewebbs, it was advised by Councillor Jewell that it was cleared as quickly as it could have been, given that it was over a bank holiday weekend and that specialist equipment was required. The published service standard was removal within 5 days.
7. With regard to specific information where investment would be made, it was advised there would be re-investment of money in changes to waste services. There would be focus on areas with high demand / high case loads, mainly in the south-east of the borough.
8. Councillor Greer expressed support for the proposed strategy, and asked about ways of tackling flytippers. It was advised that there were regular stop and search of vehicles operations every 6 to 8 weeks depending on availability of Police and this would be given more publicity on social media. CCTV was also part of the strategy and would be used at hotspots, but help from local residents was also needed to help identify perpetrators. Legal Services colleagues assisted in putting through as many prosecutions as possible, but limitations were in place from the court system on case numbers which could be forwarded. It was recognised that the courts had a backlog caused by the Covid-19 pandemic and needed to catch up on a lot of serious cases.
9. Councillor Aksanoglu recommended that ward councillors were advised of the appropriate waste enforcement officer as a point of contact. Doug Wilkinson agreed to introduce the relevant officers and encourage a face to face meeting with ward councillors. In respect of the website effectiveness, it was advised that an upgrade of the platform was imminent and website reporting would be improved for the future.
10. Councillor Demirel asked how attitudes around flytipping could be changed. Councillor Jewell advised that he would like to 'name and shame' perpetrators wherever possible, but names cannot be publicised if persons pay the FPN as they have discharged their liability to prosecution.

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However, prosecutions via the court process were public and could be publicised. Greater engagement was being sought with residents on social media, and to show how hard the Council was working clearing flytips and bulky waste. Where identification was possible from flytips, it was important to follow up and deal robustly with perpetrators. Residents' understanding of the difficulties in prosecuting should be raised, as well as the importance of correct waste disposal. It was also recognised that lives had changed during the Covid-19 pandemic and the service was being re-examined as a result.

11. Councillor Demirel recommended leaflets or publishing more information on the Council's website around how to dispose of unwanted items. Doug Wilkinson suggested that communications messages be tailored to more localised areas. During the Covid-19 pandemic and recovery period there had been changes in behaviour including shopping methods and disposal of waste. A strategic view was being taken on the way forward, as well as a localised view and bin sizes in certain areas would be reviewed, whilst also taking into account related issues including climate change and better recycling.
12. Councillor Levy considered that the document should include more details on the causes of flytipping, and on the costs of implementing the strategy. He recalled public education campaigns when service changes were made and wheeled bins were introduced several years ago. He was concerned that recycling rates had fallen. Flytipping had to be addressed; it had been impacted by Covid-19 but was not a new problem, and he questioned why it had taken so long to come up with these proposals. He was pleased that free bulky waste collection was being introduced, but that it came at not inconsiderable cost and he questioned where the funding was found, in addition to the additional vehicles and officers. Councillor Jewell acknowledged that despite the vast majority of people being respectful, there would realistically always be flytipping whatever the Council did, as some people did not understand or care about proper waste disposal. It was hoped that these proposals would have an effect. He wanted to demonstrate that there were consequences for flytipping and the Council would be taking action against perpetrators as far as it could. Communication campaigns had to reflect changing times and audiences and different approaches trialled to achieve results. Officers confirmed that recycling rates from residential properties were over 40%, but overall rates were affected by lower recycling from estates, and work would focus on communal bins to improve this in the longer term. Housing Revenue Account money would also be used to fund pick up of rubbish from Housing land.
13. In response to queries regarding how success would be measured, it was advised that once the bulky waste collection was running, it would be monitored how many flytips were being picked up, numbers of flytips being reported by residents, and whether pressure of user numbers at Barrowell Green dropped. Also, any patterns in properties or users repeatedly using the free bulky waste collections would be monitored to spot abuse of the service, and those who should be paying for a licence another way. In softer measures, officers would like to see more feedback on social media about an improved environment and fewer negative comments.

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14. It was confirmed that officers were in regular contact with their counterparts in other London boroughs and shared ideas and approaches which worked.

The Chair thanked Members for their comments and thanked the officers and Cabinet Member for their attendance and their detailed responses. Doug Wilkinson also thanked the panel for the comments confirmed that he had carefully noted all points raised by Members.

5

BUILD THE CHANGE UPDATE

RECEIVED the Build the Change Programme update, and presentation from Mark Bradbury (Director of Property and Economy) and Shafiara Muttalib-Mehra (Build the Change Programme Director).

Points highlighted included:

- Overview and Scrutiny Committee had received a comprehensive briefing on this programme on 17/2/21, and there had been two reports to Cabinet in the last 18 months.
- The vision of the Build the Change programme was to improve working practices, the environment, modernising the offices and bringing services closer to people who needed it most.
- Pictures were provided of the old Housing office and the progress on the Housing Hub construction at Edmonton Green. The hub would bring together five different teams from across the borough. The contractor had been on site since June and was due to complete by the end of November, then networks and communications would be installed and staff moved in early in 2022. Different zones would provide for collaborative working areas, video and phone conferencing, quiet study areas, and modern breakout areas. Natural light would be maximised by the large windows and use of glass.
- The first and second floor layouts of the Children and Family Services Hub, at Thomas Hardy House, were shown. Work was on track to begin in January 2022 for completion by the end of that year. Teams from three current sites would be moved to this large office, and some multidisciplinary teams. A number of themed rooms would be provided, including interview rooms.
- Changes in culture arising from the Covid-19 pandemic, such as increased working from home, had made adaption easier. The principal focus of the office buildings was to be customer facing and to facilitate collaborative working.
- New furniture was being trialled in B Block at the Civic Centre and Members were invited to visit and take a look.

Members were invited to give comments and questions:

1. The Chair asked for an update on Civic Centre future plans. It was confirmed that tenants on the upper floors wanted to stay until the end of their lease and so the current focus was on the second floor canteen and increasing the efficiency of that floor, and of the Conference Room, the ground floor and B Block South. A ground floor meeting hub was

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proposed, with better committee rooms, conference room and greater public accessibility. This would free up the first floor for re-fitting. A report to Cabinet was planned in late 2021 / early 2022 in respect of the business case. Layout styles and furniture were being trialled in B Block, where light refurbishment, repairs and redecoration were proposed.

2. Councillor Levy asked about the improvements for service users at the hubs. It was clarified that at Thomas Hardy House the first floor layout would be different from the second floor, which would be predominantly offices. There would be clear delineation between front of house and back office functions. Service users would be received at the first floor. The design was user-led, with service users having had input.
3. Councillor Greer asked about implications for staff with access needs. It was confirmed that there had been full engagement with the disability working group. An example was quoted in respect of personal evacuation plans from the Civic Centre, and that B Block would have a new lift direct to the outside. Additionally, there had been input from the LGBTQ community in respect of toilet provision. There should be no barriers to anyone coming into the Civic Centre to work.

Officers were thanked for the informative and useful update.

6

DATES OF FUTURE MEETINGS

NOTED the dates of the next Overview and Scrutiny Committee business meetings.

This report format is for scrutiny reports

London Borough of Enfield

Overview and Scrutiny Committee Meeting, 25th November 2021

Subject: Food Poverty Update

Cabinet Member: Cllr Alev Cazimoglu

Executive Director: Tony Theodoulou

Purpose of Report

1. To provide an update on Food Poverty in Enfield

Relevance to the Council Plan

2. This report provides a brief summary of the work that is currently being undertaken in the borough to address food poverty. This report relates to some of the actions to address food poverty specifically highlighted in the Enfield Poverty and Inequality Commission and The Corporate Plan.

Background

3. There has been an increase in the number of organisations providing food support to residents in Enfield since the start of the Covid-19 pandemic. The highest demand for food aid is seen in the Edmonton Green, Jubilee and Haselbury wards.
4. The Enfield Food Alliance was established in November 2020 to create a more joined up approach to tackling food poverty through a network of food-aid support in Enfield.
5. Public Health has worked with the Enfield Food Alliance to create a Food Action Plan for Enfield which focusses on three areas of actions that can be taken to tackle food poverty: prevention, building resilience and emergency support. Development of a Food Action Plan for Enfield was a recommendation from the Enfield Poverty and Inequality Commission.

Main Considerations for the Panel

6. Since December 2020, over £120,000 has been provided to the Enfield Food Alliance members to provide food parcels, cooked meals and set up alternative models of food support for residents. This financial support has resulted in an increase in the provision of culturally appropriate foods at food banks and has contributed towards opening four Food Pantries in Enfield.

7. Despite the financial support provided to food-aid organisations, demand is still incredibly high and organisations are struggling to match the demand. Data from the Enfield Food Alliance shows on average 1500 households are accessing emergency food-aid each week in Enfield. Prior to the Food Alliance, data from the North Enfield Food Bank was the only measure of food-aid uptake in Enfield. For comparative measures, in the year 2019-2020 they supported roughly 48 households per week, this increased to roughly 100 households per week in 2020-2021.

8. There is a need to implement more robust data collection measures to gain a more in-depth understanding of the support mechanisms residents accessing food-aid need and where best to place and implement such resources. The depth of data collection varies amongst organisations within the Enfield Food Alliance. Organisations are being supported to adopt a more universal approach to data collection which includes the training and resources to do so.

9. From the data collected in Enfield, many people using food-aid struggle to afford to purchase food, pay rent and pay energy bills. The two main reasons cited for attending food banks are low-income and changes or delays to benefit payments. Language barriers have also been identified as a barrier to accessing appropriate local support. There is a need to ensure relevant support or services that can assist people living in poverty are accessible to those who speak limited English.

10. The majority of food-aid provided by the Enfield Food Alliance is 'emergency' food-aid that would ordinarily be accessed if someone were in a crisis however many families are accessing emergency food aid on a weekly basis. Emergency food aid is neither a sustainable nor dignified approach to food support. Those on the lowest incomes spend a greater proportion of their income on food¹. There is a need to increase access to affordable nutritious food for those on the lowest incomes in Enfield.

11. Action has been taken to increase access to affordable nutritious food for those on the lowest incomes through implementation of the Food Pantry model in Enfield this year. Food Pantry members pay between £3.50 - £4.50 per week and can select roughly £15-£20 worth of food. Pantries provide members with a choice of food; unlike a food bank where there is often little choice as provision of food is based purely on donations. Pantry membership fees are invested back into the Pantry and are used to purchase specific culturally appropriate foods members have expressed a desire for. Pantries seek to increase access to nutritious foods by stocking a range of healthier items alongside fruits and vegetables. An adaptation of Public Health England's 'Eatwell Guide' has been produced to support Pantry members and the wider community with healthy eating messages that are reflective of the diverse cultures within Enfield.

12. Pantries offer a more dignified approach to food support. Many families experiencing food hardship, value their dignity and self-esteem. Feedback from many Pantry members reflects they would rather pay a token fee for their food instead of completely depending on foodbanks and experiencing the stigma that can be associated with doing so. Effectively, Pantries provide a 'hand up' rather than a 'hand out.' The Pantry model reflects the Corporate Plan to 'sustain

strong and healthy communities' through prevention and early intervention measures to promote independent living and wellbeing.

13. Alongside provision of food, a key element of the Food Pantry model focusses on offering support with access to financial, housing, wellbeing and employment skills and advice. This includes the ability of Food Pantry staff to make direct referrals on behalf of Pantry members into Council teams such as the Welfare Advice and Debt Support team. This approach of additional supports reflects acknowledgment of the underlying causes of food poverty and the need to address these to support people out of food poverty.

14. At present, there are over 100 members accessing food pantries on a weekly basis in Enfield. There are four Food Pantries located in the East of the borough in the Lower Edmonton, Edmonton Green and Enfield Lock wards. A fifth Food Pantry will open inside Enfield Town Library in early 2022. Pantry location has been determined through a combination of level of local deprivation, areas with limited existing food-aid support and access to suitable and affordable building space to house a Pantry.

15. Food poverty is affected by a number of financial and wellbeing factors therefore it is imperative to ensure a 'more than food' approach is taken. Providing food alone will not tackle food poverty.

16. Working in conjunction with the Independent Food Aid Network, the 'Worrying About Money' leaflet has been developed for Enfield. The leaflet allows people facing financial crisis to quickly see the available advice and support options in Enfield and how to access these services. The aim of the leaflet is to reduce the need for emergency food aid by helping people access any existing financial support they are entitled to and seek advice on income maximisation as a 'cash first' response to food insecurity. The leaflet has been shared widely with schools, food banks and community groups across Enfield. The Worrying About Money leaflet supports recommendations 24 of the Enfield Poverty and Inequality Commission to 'extend access to benefits advice, support around debt and good credit'.

17. Steps have also been taken to provide food aid-organisations with skills and knowledge relating to welfare, debt and financial advice so they can provide effective signposting and support to the communities they serve.

18. The Enfield Food Alliance has raised the issue of access to permanent buildings as a concern. Many operate out of temporary locations and rely on the goodwill of local churches or other organisations to access building space. With the lifting of Covid-19 restrictions, many of the spaces are being reclaimed and put back to their original uses. A need for centralised hubs that can be used for food access and food storage have been voiced by the Enfield Food Alliance.

19. Public Health have acted on these concerns and are in the process of supporting the Enfield Food Alliance to create a food hub on the Snells estate in Edmonton that will support access to food alongside financial and wellbeing advice services. In addition to this the Food Hub will house a community kitchen, one of the recommendations from the EPIC report, that will be used to provide cooking classes and skills workshops for local people.

20. Through a campaign of targeted promotion to families eligible to receive Healthy Start vouchers, there has been a 9% increase in voucher uptake in Enfield since targeted promotion of the scheme began in February 2021. Enfield now has a Healthy Start voucher take up of 59% which is higher than London average of 58%. Healthy Start vouchers (worth £4.25 per week) increase access to fruit and vegetables for eligible families on low incomes. Additional targeted campaigns will take place in early 2022 to further the increase in uptake of vouchers and support recommendation 25 from the Enfield Poverty and Inequality Commission which states 'the Council should promote the take up of local people's full benefits entitlements.'

21. Through Government Covid grants, since December 2020, the Council has been able to provide vouchers to families in receipt of Free School Meals (FSM) to cover the additional costs of food during the school holidays. Vouchers and food have also been provided to families who are not in receipt of FSM but have been identified by schools as vulnerable. The Household Support Grant will be used to provide vouchers for families of pupils entitled to FSM over the coming Christmas, February and Easter breaks. Given the diverse range of ethnicities across Enfield, the provision of cash or vouchers over food parcels allows families to purchase foods they are familiar with and know how to cook and is in keeping with the wider 'cash first' approach of income maximisation in addressing food poverty.

22. The Government funded Holiday Activity and Food (HAF) Programme ran over the Easter and Summer Holidays in 2021 and will operate over the coming Christmas Holidays. The programme provides children with a meal, physical activity and nutrition education daily and provides access to holiday clubs that for many low-income families would be impossible to access otherwise. So far, over 3000 children have attended the HAF programme in Enfield. The Chancellor's autumn budget confirmed a funding commitment to extend provision of the HAF programme over the next three years.

Conclusions

23. Enfield is currently providing a heavy 'emergency' food-aid response via food banks. There is a need to move away from an emergency food response and provide more sustainable and dignified approaches to tackling food poverty and increase access to affordable nutritious food for those on the lowest incomes.

24. There is a need to implement models and systems within the local community that increase access to financial and wellbeing support at touch points accessed by residents experiencing food poverty e.g. schools, GP's, community groups.

25. Continued financial support and wider support from within the Council (e.g. access to affordable building space) are needed to effectively address food poverty in Enfield.

Report Author: Dudu Sher Arami
Director of Public Health
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020 8132 0494

Report Date: 10th November 2021

Appendices

Background Papers

The following documents have been relied on in the preparation of this report:

- 1 <https://foodfoundation.org.uk/sites/default/files/2021-10/FF-Broken-Plate-2021.pdf>

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Update on Food Poverty in Enfield

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Food Poverty in Enfield

- Increase in the number of food banks and people accessing food banks since Covid-19
- Highest demand for food-aid in Edmonton Green, Jubilee & Haselbury Wards.
- 1500 households accessing food-aid in Enfield on a weekly basis
- North Enfield Food Bank doubled support from 2019-2020 vs 2020-2021
- Low income and benefit changes/delays are the two main reasons for accessing food support
- Need for more robust data collection measures

The Journey So Far

Enfield Stands Together:

- Over 4000 food parcels delivered weekly from April to October 2020

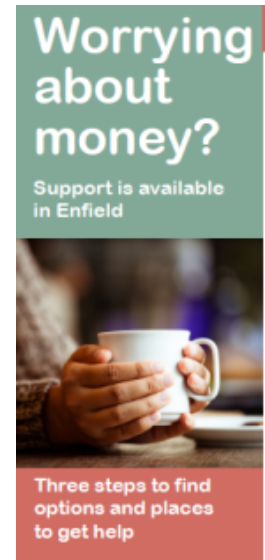
Enfield Food Alliance

- Established November 2020



Enfield Food Action Plan

- Worrying about Money Leaflet
- Addressing Food Poverty Event
- 9% Increase in Healthy Start Voucher Uptake



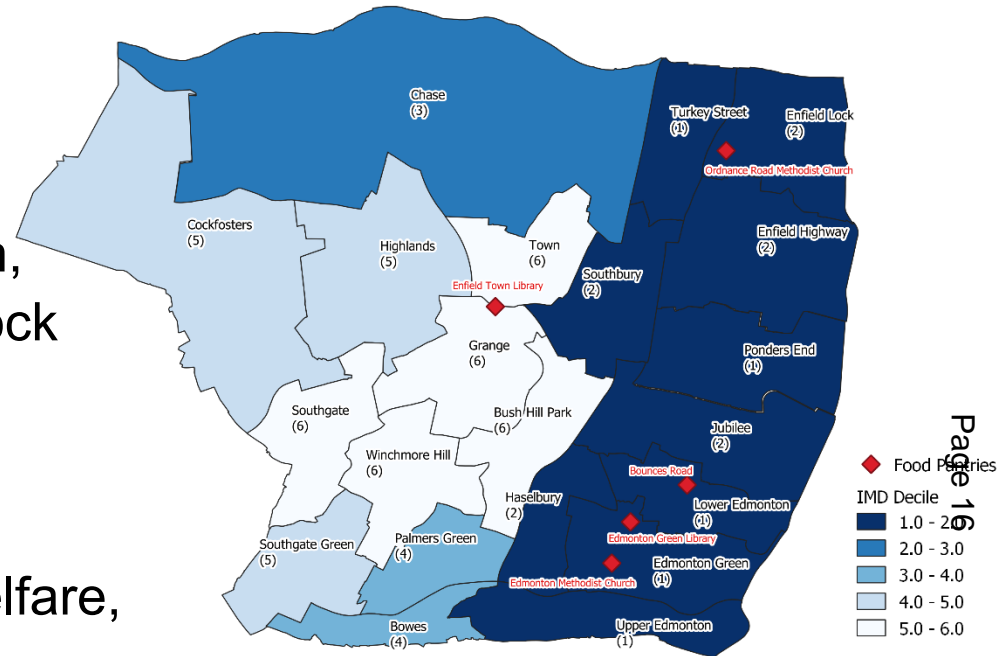
Holiday Hunger

- Holiday Activity & Food Programme-over 3000 attended
- Vouchers

Current Position

Food Pantries

- 4 Food pantries in Enfield (Edmonton Green, Lower Edmonton, Enfield Lock wards)
- Over 100 members
- Early Help (housing, welfare, debt, employment)
- Culturally diverse foods



Relevance to the Council Plan

Enfield Poverty and Inequality Commission

- 7. Enfield Food Action Plan – Prevention, Building Resilience, Emergency Support
- 24. Extending access to benefits advice, support around debt and good credit.
- 25. Promote the take up of local people's full benefits entitlements

Enfield Corporate Plan – Sustain Strong and Healthy Communities

- Engage with communities on decision making so services targeted where they are most needed
- Develop prevention and early intervention measures to promote independent living and wellbeing

Future Plans

1) Increase 'Cash First' response to food poverty

- Income maximisation – accessing welfare, reducing debt, increasing employment
- Household Support Grant – vouchers (rather than food)

2) Increase access to affordable nutritious food through alternative food support models

- Food pantries
- Food coops
- Holiday Activity and Food programme

London Borough of Enfield**Overview and Scrutiny Committee (25 November 2021)**

Subject: Consultation**Cabinet Member: Cllr Nesil Caliskan****Executive Director: Ian Davis**

Purpose of Report

1. To provide information on the following (further details in the 'Main Considerations for the Panel section of the report):
 - Delivery of consultation across the Council
 - Legal considerations: when should the Council consult
 - Legal considerations: delivering consultation
 - Standards relating to consultation
 - Role of equalities impact assessments
 - Challenges faced by services in using responses to inform decision-making
 - Key issues

Relevance to the Council Plan

2. Consultation can be used to deliver all themes and priorities in the Council Plan.

Background

3. This report was produced following a request from OSC members.

Main Considerations for the Panel

4. **The difference between consultation and engagement**
5. The terms 'engagement' and 'consultation' are often used considered to be the same thing. However, they are different. The table below provides useful distinctions between the two (see Table 1).

Consultation	Engagement
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One-off process: Usually for a specific strategy or service change	Ongoing process
Top-down: The organisation decides what to discuss and how	Equal: The organisation and communities decide what to discuss and how
One-way: Communities speak to the organisation	Two-way: Communities and organisation speak to each other
Organisation focused: What the organisation needs to achieve its aims	Community-focused: What the community needs to achieve its aims
Competitive culture: Puts the organisation on defence and community on offence	Collaborative culture: Creates a collaborative culture of shared ownership
Formal rules: Legally enforceable rules	No formal rules (apart from possible terms of reference)

Table 1

6. The table highlights the importance in ensuring consultation is well considered. After all, consultation is competitive by nature, dialogue is one-way and the organisation establishes what to discuss and how. It is generally a process in which the relationship between parties is not equal. In addition to the relationship elements, there are legal considerations to consider.
7. Across the Council, consultation activities are primarily delivered in the form of questionnaires, polls, interviews and public meetings.
- 8. The role of the Corporate Strategy Service in delivering consultation and engagement**
9. Based in the Chief Executive's Unit, the Corporate Strategy Services provides business critical support to the Council in several key areas:
 - Strategy and policy development– Including focused support for delivering Fairer Enfield, Climate Action and Early Help
 - Voluntary and community sector support and empowerment
 - Member-led and staff events
 - Public affairs
 - Engagement and consultation (including collecting feedback on behalf of other services, which cannot always be clearly distinguished from consultation)
10. Within the Council, consultation and engagement are not centralised functions and the Service is not involved in all consultation and engagement delivered by the organisation. It is not the role of the Corporate Strategy Service to coordinate, monitor and evaluate

consultation and engagement delivered by other services in the Council. However, support is provided upon request.

11. The Corporate Strategy Service administers and coordinates, for the purposes of engagement, various meetings and other fora involving key strategic partners and other stakeholders. For example, the Equalities Board, Faith Forum, Voluntary Sector Steering Group, Friends of Parks ACM, Older People Partnership Board and Enfield Youth Parliament. The Service is also involved in delivering engagement on specific projects, such as the engagement in developing the Children and Young Peoples Plan with schools.
12. Most often, engagement is delivered by the relevant services. For example, tenant engagement is delivered by the Housing Service and engagement relating to town centres has been delivered by the Economic Development Service.
13. In relation to consultation, the Corporate Strategy Service is involved in delivering activities on behalf of, and in partnership with, services across the Council. The amount of public consultation activities in which the Service is involved in varies from year to year. On average, around 40 to 50 consultation activities each year.
14. The following list gives an indication of the variety of areas in which the Service has supported public consultation (since January 2019):
 - Housing Allocation Strategy
 - Proposed changes to the Council Tax Reduction Scheme
 - Proposed changes to resident permit tariffs in Controlled Parking Zones
 - Parks Events Strategy
 - Public Space Protection Orders (refresh)
 - Planning Enforcement Plan
 - Changes to the planning system
 - Polling Districts and Polling Places Review
 - Playschemes for children with disabilities
 - Leisure activities for children with Special Educational Needs
 - Wilbury Way wetlands
 - Oakwood Park wetlands
 - Hazelbury Green improvements
 - Gambling Policy
 - Sexual health services
 - Fairer Enfield Policy
 - Changes to Special Guardianship Orders
15. The amount of staff resource dedicated to each project will vary significantly, with some being light-touch and others being full-time projects over several weeks. In addition to public consultation, the Service delivers internal consultation activities (for example, pulse surveys and questionnaires relating to the health and wellbeing of staff) and the collection of feedback.

16. Some services deliver their own consultation activities. For example, those relating to place-based issues are often delivered by the relevant services within the Place Department. Primarily, because of the technical knowledge and staff resource required. The Place Department have recently delivered consultation activities in the following areas:

- Low Traffic Neighbourhoods (LTNs)
- Healthy Streets (for example, cycling infrastructure and parklets)
- Road improvement schemes (for example, no right turns and reduced speed restrictions)
- Local Plan and other planning policy related work
- Proposed Controlled Parking Zones
- Town Centre Management (for example, Let's Talk Angel Edmonton)
- Enfield Green & Blue Strategy

17. These projects may also involve engagement elements.

18. The focus of the remainder of this report is consultation.

19. Legal considerations: when should the Council consult

20. There are two main areas to focus on when deciding if there is a need to consult:

- Statutory provisions (including, relevant legislation such as the Housing Act)
- Doctrine of legitimate expectation (common law)

21. *Statutory provisions*

22. There are requirements to consult detailed in specific legislation relating to the topic of consultation. These include (examples in brackets):

- Housing Act 1985 (changes to the management and maintenance of council housing or a change in policy or practice that is likely to substantially affect secure tenants)
- Anti-social Behaviour, Crime and Policing Act 2014 (proposals to implement Public Space Protection Orders)
- Electoral Administration Act 2006 (polling districts and polling places reviews)
- Road Traffic Regulation Act 1984 (proposed traffic orders relating to a range of measures, such as introducing a one-way street or banned turns)¹

23. An example of a more general legal consideration is the need to deliver on our obligations detailed in the Equality Act 2010. Under the Act we must have “due regard” to a variety of equalities objectives (Equality Act 2010, Section 149) and consequently, equality analysis (formally Equality Impact

¹ During the Covid-19 pandemic: Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020. This was withdrawn on 4 May 2021. The amendments included were intended to speed up the time it takes for traffic authorities to make the traffic orders that are needed to put in place measures to deal with the effects of coronavirus, including the need to encourage social distancing and promote active travel, for example, walking and cycling.

Assessments) must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders. The concept of “due regard” was reinforced in 2012 during the review of the Public Sector Equality Duty which “requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”.

24. Doctrine of Legitimate Expectation (Common Law)

25. According to The Consultation Institute, the ‘Doctrine of Legitimate Expectation’ is rapidly becoming the most important aspect of the law of consultation. It is expected a consultation should take place in those instances where:

- There has been a clear promise of consultation
- Official guidance or policies implying a promise to act in a particular way
- There is a withdrawal of a benefit with significant impacts to be considered (for example, reduction of a service)
- The nature of the relationship would create unfairness if there were to be inadequate consultation

26. Legal considerations: how a consultation should be delivered

27. Whether or not there is in law an obligation to consult, where consultation is embarked upon it must be carried out fairly and, if applicable, consistent with relevant legislation. The Council also needs to ensure compliance with the General Data Protection Regulation (2018).

28. Specific legislation relating to the issue

29. In relation to some issues, legislation will provide requirements on how consultation activities should be delivered (for example, the Housing Act). This may include, for example, references to who should be consulted and the period of consultation.

30. If the Corporate Strategy Service receives a request in which there are legal requirements contained within specific legislation on how to deliver the consultation, the client is asked to engage Legal Services for expert advice.

31. There are also other legal considerations that impact on how a consultation should be delivered:

- General Data Protection Regulation 2018
- Case law (including the *Gunning Principles*)

32. General Data Protection Regulation 2018

33. We will often collect personal data for use in a consultation, and therefore the collection and subsequent processing of that data will fall under the General Data Protection Regulation (GDPR). Even if the data is simply being collected and then stored, with no active steps being taken to 'use' it, the conditions set by the GDPR will still apply (for example, ensuring appropriate security of the data, or making sure we are not holding more data than is necessary).
34. GDPR needs to be considered when:
- We are using databases to produce a contact list of those who we will send details of the consultation
 - We are looking to request personal data from participants in the consultation (this data should only be used for the reasons stated)
 - Considering what data is shared and with whom
35. The Corporate Strategy Service will look to ensure compliance with GDPR at all stages. When the Service is unsure of what action should be taken, this is referred to the Council's Data Protection Officer for advice and guidance.
36. *Case law*
37. The primary reference in terms of case law is provided via the *Gunning Principles*. These were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (*R v London Borough of Brent ex parte Gunning*). Sedley defined that a consultation is only legitimate when these four principles are met:
- *Proposals are still at a formative stage* - a final decision has not yet been made, or predetermined, by the decision makers
 - *There is sufficient information to give 'intelligent consideration'* - the information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
 - *There is adequate time for consideration and response* - there must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation (unless specified in relevant legislation such as the Housing Act), as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
 - *Conscientious consideration must be given to the consultation responses before a decision is made* - decision-makers should be able to provide evidence that they took consultation responses into account
38. To clarify, in relation to the principle of 'proposals are still at a formative stage', this means a public authority cannot wait until it has identified a definite solution. A public authority must embark on the consultation process and be prepared to change course if persuaded to do so. It is fine for a public authority to consult on a preferred option or even a decision in principle, provided the consultation document is clear on what the other

options are (*Nicol v Gateshead* (1988) 87 LGR 435, applied in *R (M) v Haringey* [2013] EWCA Civ 116).

39. These Gunning Principles were reinforced in 2001 in the 'Coughlan Case' (*R v North and East Devon Health Authority ex parte Coughlan*), which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (*R ex parte Moseley v LB Haringey*), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed and are frequently referred to as a legal basis for judicial review decisions.
40. The Corporate Strategy Service work within these principles when supporting the delivery of consultation. If the Service believes there is a legal risk relating to the Gunning Principles, Legal Services will be engaged.

41. Standards relating to consultation

42. To deliver effective consultation, the Corporate Strategy Service references the Market Research Society Code of Conduct (2019) and The Consultation Institute Charter.
43. *Market Research Society Code of Conduct (2019) and supplementary guidance*
44. The Code² is intended to be a high-level guide to ensuring market and social research is high quality, ethically robust at all stages of the research process: from scoping the objectives of the research to how the findings are reported. To supplement and interpret the Code, the Market Research Society has produced detailed guidance on more specific issues. For example, guidance on delivering research with vulnerable adults and how a questionnaire should be designed.
45. The Corporate Strategy Service primarily references the Code and guidance when developing the approach to consultation, design of the data collection methods (for example, polls, questionnaires and focus groups) and when reporting the data.

The Consultation Institute Charter

46. When developing consultations, the Service references the set of best practice principles laid out in The Consultation Institute Charter. The principles are as follows:
- *Integrity* – Intentions must be honest, and with a genuine willingness to listen and be influenced

² <https://www.mrs.org.uk/pdf/MRS-Code-of-Conduct-2019.pdf>

- *Visibility* – a real effort to make all of those who have a right to participate aware of what's going on
- *Accessibility* – reasonable access, use of appropriate methods and channels and adjustments made to cater for hard-to-reach groups
- *Transparency* – data should be disclosed unless there's a specific reason to make them exempt. In addition, explanations for decisions taken following a consultation, should be made public
- *Disclosure* – all relevant material and context should be disclosed by the Council, and in return residents should disclose the full range of local opinion
- *Fairness* – assessments and interpretations of consultations need to be objective. Decisions should be representative of the spread of opinion
- *Publication* – participants have a right to receive feedback on the final output, and on the eventual outcome of the process

47. These can also act as a checklist for assessing the quality of a consultation

48. Equalities impact assessments

49. Equalities impact assessments should accompany a consultation in which major service or policy changes are being proposed.

50. The Corporate Strategy Service requests that clients refer to their equality impact assessment to help decide on how these consultations should be delivered. For example, the impact assessment should help to identify groups we should make extra efforts to reach out to as part of the consultation process.

51. Costs

52. The Corporate Strategy Service does not have a budget to deliver consultation activities and does not charge services for the support provided. Services will be required to pay any costs associated with the consultation. For example, the cost of posters and leaflets. Other potential costs may relate to printing hard copy questionnaires, postage and refreshments (the latter relating to focus groups, public meetings and workshops).

53. The Corporate Strategy Service uses a specialist survey software that produces online (HTML) and hard copy questionnaires, as well as providing the use of an online platform that enables responses to be collected. In addition to consultation, the software and online platform is used for staff surveys, collecting feedback, to produce e-forms and to collate statutory returns for Government (for example, to establish what young people are doing post-16 education). The cost of the software and online platform is around £2,500 (cost varies depending on the number of completed online questionnaires/forms each year).

54. Place-based services use a different online platform, Bang the Table, that best meets their own consultation needs (for example, mapping tool function and organising consultations by theme).
55. Services may use research consultants to deliver some consultation activities. When requested, the Corporate Strategy Service will provide technical advice and guidance in developing procurement specifications to ensure the consultation is of a high quality and the Council receives value for money. However, the Corporate Strategy will not necessarily be informed when services commission research from external organisations.

56. Process for delivering consultations

57. Prior to developing a consultation, the service is expected to have the appropriate Delegated Authority Report and, if required, have started to complete an Equalities Impact Assessment. If a service requests the assistance of the Corporate Strategy Service to deliver a consultation, they are asked if they have the appropriate authority and considered the equalities implications.
58. Following this, the consultation process should be as follows:
- Requesting the support of the Corporate Strategy Service (if required)
 - Scoping out the overall purpose of the consultation and the objectives
 - Producing the consultation strategy or proposal, if necessary (details include overall purpose and objectives, details of who should be consulted and details of consultation method)
 - Developing the data collection method and accompanying documentation
 - Signing-off materials (including, data collection method)
 - Consultation period (for example, launch and closing of questionnaire)
 - Cleansing data (for example, clean data, editing and coding of open-ended responses)
 - Analysing responses
 - Producing outputs
 - Reporting of findings
 - Using the data to inform decision-making

59. Challenges faced by services in using responses to inform decision-making

60. The services are responsible for acting on the feedback from residents and other key stakeholders.
61. As stated earlier, consultations are not referenda. It is therefore not always a case of 49% agree and 51% disagree so the proposal, for example, is implemented. In addition to this, the issues subject to consultation are often nuanced and rarely binary.

62. In using the data to inform decision-making, the services may have to consider a number of issues, including:

- The view of the majority may be significantly different to those who could be most impacted by the proposals
- Participants may not be representative of the population as a whole (for example, due to over-representation of some groups)
- Alternative suggestions put forward by respondents may not be viable (for example, in several consultations, respondents have suggested Cycle Enfield funding be used to maintain or improve other services, build housing and remove parking charges in the borough)
- Most consultations delivered by the Corporate Strategy Service asked respondents how the Council can address the negative impact of proposals. The majority may not support the proposals but it could be that most of the negative impacts expressed by respondents can be addressed or there has been a misunderstanding of the potential impacts of the proposals. Thus, the number of those who disagree may be over-inflated
- Disagreement can sometimes be with the statutory requirement behind the proposal (for example, in Housing Allocation Strategy consultations, some have stated they disagree with proposals as they do not think Council housing should be available to those born outside of the borough)
- The number of responses may be low
- In addition to the data, the services must consider other issues, such as costs, staff resource, logistics and meeting legal requirements

63. Key issues

64. There are several key issues and challenges we face when delivering consultations, including:

- Consultations viewed as referenda by some residents and stakeholders
- Budget available for consultation is restricted. As costs impact on promotional activity that can be used (for example, using posters across the borough) and availability of consultation documents (for example, hard copy questionnaires and pre-paid envelopes) this will impact on levels of participation
- Significant numbers may not want to be involved in local decision-making and some consultation topics may not be of interest to some. Both can impact on participation levels
- Local newspapers used to be an effective and low-cost means for promoting consultation activities. However, due to increasingly low coverage of local press in the borough, this has reduced the effectiveness of using these in reaching out to local people
- Comparatively low participation levels among residents in the east of the borough
- Difficulty in ensuring a representative sample for the consultation without responses being sometimes dominated by, for example, the views of a group of individuals who are likely to have a different

opinion to those who do not participate. Those often over-represented are those with protected characteristics

Conclusions

65. Due to consultation being 'competitive' by nature, the Council establishing what to discuss and how, dialogue being one-way and the need to comply with legislation, it is important to ensure consultation is well considered. Consultation proposals or strategies may help with this.

66. Delivering consultation that is satisfactory to all residents and other stakeholders is not straightforward. However, many of the reasons for dissatisfaction can be avoided by:

- Ensuring compliance with legislation (statutory provisions) and the Gunning Principles
- Following best practice principles (for example, those detailed in The Consultation Institute Charter)
- Developing and delivering consultation consistent with the Market Research Society Code of Conduct (2019) and supplementary guidance

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Date of report 25 November 2021

Appendices Not applicable

Background Papers Not applicable

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Consultation

Overview & Scrutiny Committee

25 November 2021

Presented by Phil Webb (Corporate Strategy Service)

Page 31

Topic

- What do we mean by *consultation*?
- Delivery of consultation across the Council
- Legal considerations: when should the Council consult
- Legal considerations: delivering consultation
- Standards relating to consultation
- Role of equalities impact assessments
- Challenges faced by services in using responses to inform decision-making
- Key issues

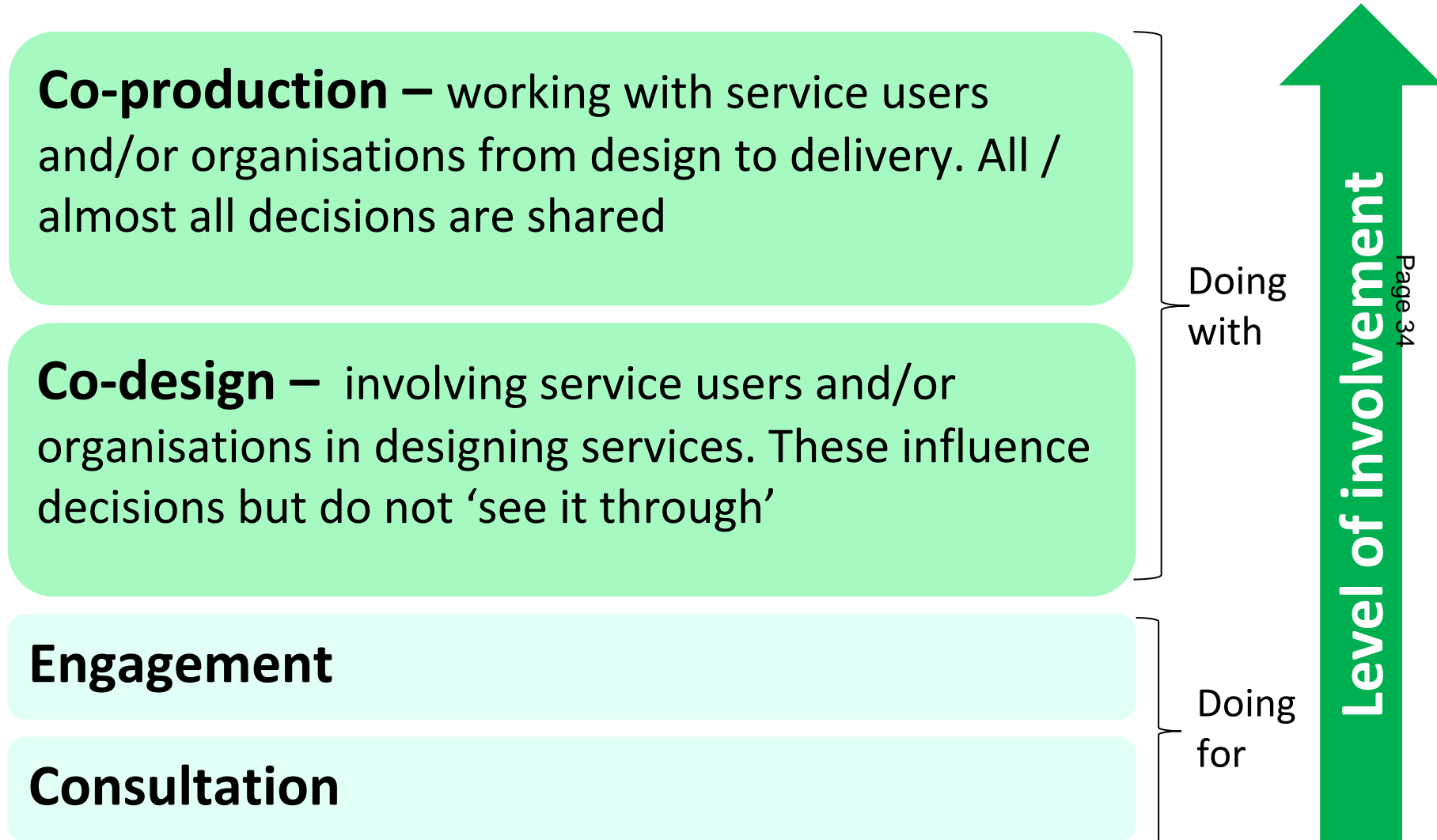
The process for delivering consultations and information on costs are both detailed in the report.

What do we mean by *consultation*?

Consultation	Engagement
One-off process: Usually for a specific strategy or service change	Ongoing process
Top-down: The organisation decides what to discuss and how	Equal: The organisation and communities decide what to discuss and how
One-way: Communities speak to the organisation	Two-way: Communities and organisation speak to each other
Organisation focused: What the organisation needs to achieve its aims	Community-focused: What the community needs to achieve its aims
Competitive culture: Puts the organisation on defence and community on offence	Collaborative culture: Creates a collaborative culture of shared ownership
Formal rules: Legally enforceable rules	No formal rules (apart from possible terms of reference)

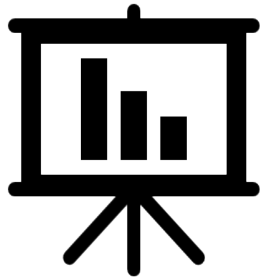
What do we mean by *consultation*? (2)

Local government is trending towards increasing levels of involvement.



What do we mean by *consultation*? ⁽³⁾

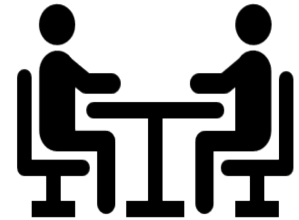
Methods of consultation include....



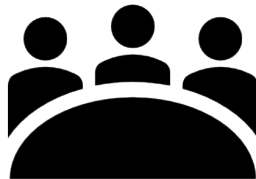
Polls



Questionnaires
(including online)



Interviews



Focus groups



Various other online
methods, such as
mapping and forums

Delivery of consultation across the Council

Corporate Strategy Service

- A role of the Service is to support consultation (advice, guidance and delivery) both internal and external
- Support is available for each stage of the consultation process
- Does not: deliver all consultation activities; monitor and coordinate all consultation across the organisation; have a budget for consultation

Services across the Council

- Most services use the support of the Corporate Strategy Service
- Place-based services deliver much of their own consultation activities (staff resource and specialist knowledge)

Delivery of consultation across the Council (2)

Examples

Corporate Strategy Service

- Housing Allocation Strategy
- Proposed changes to the Council Tax Reduction Scheme
- Proposed changes to resident permit tariffs in Controlled Parking Zones
- Child Neglect Strategy
- Playschemes for children with disabilities
- Leisure activities for children with Special Educational Needs
- Fairer Enfield (equalities and diversity policy)

Place-based services

- Low Traffic Neighbourhoods
- Local Plan
- Cycling infrastructure (including cycle lanes)
- Road improvement schemes (for example, no right turns and reduced speed restrictions)
- Proposed implementation of Controlled Parking Zones
- Town Centre Management (for example, Let's Talk Angel Edmonton)
- Enfield Green & Blue Strategy

Legal considerations: when should the Council consult

Legal Services provide advice around these issues.

1. Statutory provisions

For example:

- Housing Act 1985
- Anti-social Behaviour, Crime and Policing Act 2014
- Electoral Administration Act 2006
- Road Traffic Regulation Act 1984 (amendment in-force from 30 April 2020 to 4 May 2021 to improve social distancing and promote active travel)
- The Equality Act 2010

Legal considerations: when should the Council consult (2)

2. Doctrine of Legitimate Expectation (Common Law)

Becoming the most important aspect of the law of consultation (Consultation Institute).

Now seen as common law whereby the courts recognise consultees rights to expect a fair process which incorporates guidance and management promises. It applies where:

- There has been a clear promise of consultation
- Official guidance/policies implies a promise to act in a particular way
- There is withdrawal of a benefit with significant impacts to be considered (for example, reduction of a service)
- The nature of the relationship would create unfairness if there were to be inadequate consultation

Legal considerations: delivering consultation

Whether or not there is in law an obligation to consult, where consultation is embarked upon it must be carried out *fairly*.

1. Contained in relevant legislation (e.g. Housing Act)

Contain details of, for example, who should be consulted, objectives of the consultation and length of consultation period.

2. General Data Protection Regulation

- Personal data will often be used in consultations (e.g. to identify potential participants and personal information requested)
- The collection and subsequent processing of data will fall under the GDPR

Legal considerations: delivering consultation (2)

3. Case law (including the Gunning Principles)

The primary reference in terms of case law is provided via the *Gunning Principles*:

- Proposals are still at a formative stage
- There is sufficient information to give 'intelligent consideration'
- There is adequate time for consideration and response
- Conscientious consideration must be given to the consultation responses before a decision is made

Standards relating to consultation

Best practice principles (Consultation Institute)

The Corporate Strategy Service references the set of best practice principles laid out in The Consultation Institute Charter:

- Integrity
- Visibility
- Accessibility
- Transparency
- Disclosure
- Fairness
- Publication

Can also be used as a checklist for assessing quality of a consultation

Standards relating to consultation (2)

Market Research Society Code of Conduct (2019)

For 60 years, the CoC has been regarded as the foundation of good quality, ethically robust market and social research whilst complying with data protection legislation.

Guidance to supplement interpretation and application of the CoC (e.g. those relating to carrying out research with vulnerable people and questionnaire design).

Applied to the work of Corporate Strategy Service when using research methods (e.g. questionnaires and focus groups).

Role of equalities impact assessments

Equalities impact assessments (EQIAs) should accompany a major consultation.

Corporate Strategy Service has raised awareness of EQIAs, and provided guidance on when they should be used and how to complete them.

EQIAs help provide focus on how these consultations should be delivered.

Challenges faced by services in using responses to inform decision-making

- View of the majority of respondents may be significantly different to those who maybe most impacted by the proposals
- Alternative suggestions put forward by respondents may not be viable
- The majority may not support the proposals but it could be that most of the negative impacts can be addressed or there has been a misunderstanding of the potential impacts of the proposals
- Disagreement can sometimes be with the statutory requirement behind the proposal
- The number of responses may be low
- Consideration of other factors (e.g. costs, staff resource, logistics and meeting legal requirements)

Key issues

- Consultations considered as referenda
- Budget restrictions (impacting on participation levels)
- Sometimes, lack of interest in the topic or not wanting to be involved in decision-making with the Council
- Low circulation (and lack of) of local printed press
- Low participation levels among those in the east of borough
- Respondents not reflecting the population

Any questions?

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Scrutiny Annual Report 2020/21

Chair's Introduction

I am pleased to introduce the Scrutiny Annual Report for 2020/21.

The Overview & Scrutiny Committee for the term 2020/21 has faced key challenges due to the coronavirus pandemic. However, during these challenging times the Overview & Scrutiny Committee has continued to function by way of virtual meetings.

The municipal year of 2020/21 had an introduction to a new scrutiny structure of 7 standing Panels. The 7 standing Panel chairs have individually tailored and suited their work programmes to areas falling under their Panel remit. The new structure has enabled and enhanced scrutiny function to be carried in wide range of services.

I would like to thank all Panel chairs, councillors, officers, residents and all stakeholders who have contributed to the working of the Overview & Scrutiny Committee.

I look forward to your continued work and involvement in the scrutiny function.

Councillor Susan Erbil
Chair of the Overview & Scrutiny Committee

1. Introduction

This report provides a summary of the activity of the Overview & Scrutiny Committee and seven scrutiny Panels for the municipal year 2020/21.

2. Proposal

Council is asked to note the work undertaken by the Overview & Scrutiny committee and panels, and to agree the proposed increase in engagement with Enfield Youth Parliament.

3. Scrutiny at Enfield

Effective Scrutiny should:

- provide constructive 'critical friend' challenge;
- amplify the voices and concerns of the public;
- be led by independent people who take responsibility for their role;
- drive improvement in public services;

A review undertaken by the Centre for Public Scrutiny of the scrutiny function at Enfield, proposed changes to the structure with a move away from task and finish scrutiny workstreams, to standing Panels better aligned to where most value could be added. The revised structure was approved and implemented following the AGM in July 2020 (held later this year due to the pandemic).

The new structure included:

An Overview & Scrutiny Committee plus the following Panels:

- Crime;
- Health & Adult Social Care;
- Children, Young People & Education;
- Regeneration & economic Development;
- Finance & Performance;
- Environment & Climate Action; and
- Housing

Work planning sessions are held at the start of the municipal year for the main OSC and Panels.

Each Panel has 4 meetings scheduled per year, and if needed additional meetings can be requested through the Monitoring Officer.

OSC has 7 meetings per year plus provisional dates used for call-in or pre-decision scrutiny.

The 2020/21 panel work programmes clearly had a focus on Covid-19. Areas covered by panels under this heading included the impact on council services, impact on Councils finances, the affect on care homes, and the mental health and wellbeing of older people, and children and young people.

The work of OSC and the Panels for 2020/21, their terms of reference, and any key points are detailed below.

4. Overview and Scrutiny Committee 2020/21

Membership:

Councillors:

Susan Erbil (Chair)

Margaret Greer (Vice Chair)

Elif Erbil

Hass Yusuf

Achilleas Georgiou

Birsen Demirel

Edward Smith

Lee David-Sanders

Terms of Reference

The leadership and co-ordination of the Council's scrutiny function is the responsibility of the Overview and Scrutiny Committee.

1. Development, co-ordination and implementation of the overall scrutiny annual work programme for all scrutiny panels.
2. Reviewing executive decisions under the Call-in procedures
3. Leading consultation on the Budget and considering the views of the Finance and Performance Scrutiny Panel.
4. To develop its own work programme.
5. To receive petitions as set out in the Constitution; and
6. To take responsibility for monitoring scrutiny reports

Meetings held and items considered by the Committee

The Overview and Scrutiny Committee held 6 business meetings and 5 call-in meetings during the municipal year 2020/21. Due to Covid, all meetings were held virtually.

July 2020

At this first meeting the Committee agreed to set the work programme for 2020/21. Members received a presentation on Local Priorities for 2020/21 from The Leader of the Council, who provided details of the priorities for the year.

In addition, the report of the Meridian Water Scrutiny Workstream was presented to OSC and it was agreed that responsibility for monitoring recommendations would pass to the Regeneration and Economic Scrutiny Panel.

September 2020

As part of the leadership and co-ordinating role of OSC, the work programmes for the individual panels were agreed.

October 2020.

A petition on the Bowes Low Traffic Neighbourhood Scheme had collected enough signatures to be presented to OSC. The Lead Petitioner presented the concerns of residents, before the Deputy Leader of the Council provided a response, and members debated the points. The decision of the Overview and Scrutiny Committee was to request that the Director of Environment & Operational services and Cabinet member did not implement a permanent solution to the Bowes Low Traffic Neighbourhood until such time as a full and proper consultation exercise had been completed.

At this meeting the Committee also considered a presentation on ICT and Digital Services – The Customer Experience.

February 2021

The annual budget meeting provided OSC members with an opportunity to have input into the final budget recommendations to be agreed by Full Council.

February 2021

The second meeting in February included presentations on Procurement Services and the Build the Change Programme. An update on COVID-19 included the latest data on mortality and infection rates. Detail was also provided on the roll-out of vaccines in the borough.

April 2021

OSC received 2 referrals from the Children, Young People and Education Scrutiny Panel.

The first referral was regarding an issue that was raised by the Teachers Unions and Youth Parliament on mental health issues due to the lockdown and the pandemic. The referral to Cabinet asked for a Mental Health Charter and action Plan in consultation with the various stakeholders including the Youth Parliament, unions and the Children, Young People & Education Scrutiny Panel.

The second referral was on Exclusions, OSC agreed to refer the item back to the Children, Young People & Education scrutiny Panel to ensure that when setting the work programmes for 2021/22, the Children, Young People and Education Scrutiny Panel considered continuing with Exclusions as an item in order to fully explore the areas that needed further work.

Members also considered a presentation on Business and Partnerships. As this was the last business meeting of OSC, all Chairs provided a verbal summary of the work undertaken by their respective panels.

5. Call-in

When an Executive decision is made by the Cabinet, an individual Cabinet member, or a key decision is made by an officer with delegated authority from the Executive, the decision is published, and can only be implemented, on the expiry of 5 working days after the publication of the decision, unless 7 or more councillors call it in.

If a decision is called-in, then a meeting of the Overview and Scrutiny Committee is scheduled within 14 working days of the relevant call-in period. The decision maker attends the Overview and Scrutiny Committee to respond to the reasons for call-in.

The Overview and Scrutiny Committee following the debate:

- Confirm the original decision; or
- Refer it back to the decision making person or body for reconsideration; or
- Refer the matter to full Council; or

In 2020/21 members called-in 5 decisions, these were:

- July 2020 - Trading Company Business Plans
- August 2020 - Adoption of the Enfield Climate Action Plan
- November 2020 - Meridian Water Environment Sustainability Strategy
- March 2021 - Farm Road Yellow Lines and Bus Route 456
- April 2021 - Whitewebbs Park Golf Course

Following debate in each of the 5 cases, the original decision was upheld

The Panel completed its planned work programme for the municipal year.

6. Crime Scrutiny Panel 2020/21

Membership:

Councillors:

Lee David-Sanders (Chair)

Joanne Laban (Vice Chair)

Sinan Boztas

Yasemin Brett

Ayfer Orhan

Vicky Pite (until Dec 20)

Kate Anolue

Derek Levy

Terms of Reference

1. To scrutinise and make a report or recommendations on the Metropolitan Police Service, Emergency services, Safer Neighbourhood Board and community safety
2. To scrutinise, and prepare reports, as necessary, about any Council actions and decisions relating to crime and community safety.

Meetings held and items considered by the Panel

The Scrutiny Panel met 4 times during the municipal year 2020/21.

September 2020

At this first meeting the Panel agreed to set the Panel's work programme for 2020/21. Members also received a presentation on Local Priorities for 2020/21, including a presentation from the Metropolitan Police.

November 2020

The Panel received and considered a detailed report on prostitution and as this is a long standing issue in the borough agreed that a follow up report would come back to the final meeting of the panel. Members also received a presentation on burglary in Enfield.

January 2021

Members received two comprehensive presentations at this meeting and provided feedback on the Safer & Stronger Communities Board Partnership Plan and serious youth violence.

March 2021

At the final meeting of the Panel in the municipal year, Members received and considered presentations on reoffending including youth reoffending, Modern Day Slavery receiving an update on the Modern Slavery Team's first year in practice. They also received an update on prostitution. The London Fire Brigade provided a presentation on the work they undertake to reduce crime and how their activity had been affected by Covid.

At each meeting, the Panel also received Safer & Stronger Communities Board Performance Management data, commented and provided a monitoring overview. The Panel had noted that lockdown had impacted on crime figures and that going forward the analysis on year on year crime figures would need to take this into account.

The Panel continued to work in partnership with the Metropolitan Police and remains committed to maintaining links with the Safer and Stronger communities Board (Enfield's Community Safety Partnership).

The Panel completed its planned work programme for the municipal year.

7. Children, Education & Young People Scrutiny Panel 2020/21

Membership:

Councillors:

Achilleas Georgiou (Chair)

Birsan Demirel

Ergun Eren

Ahmet Oykenner

Bernie Lappage (until March 21)

Glynis Vince

James Hockney

Derek Levy

Terms of Reference

1. To examine and report the policies and services of the Council as they impact on children and young people in the borough.
2. To promote the participation, engagement and influence of children and young people in the services which affect them
3. To receive the monitoring and progress reports as they relate to children and young people in the borough

Meetings held and items considered by the Panel

The Scrutiny Panel met 6 times during the municipal year 2020/21.

September 2020

At this first meeting the Panel agreed to set the Panel's work programme for 2020/21; this was a newly formed Scrutiny Panel agreed as part of the Constitution changes to the Scrutiny function of the Council. Members also received a presentation on Local Priorities for 2020/21. The effects of Covid 19 was a theme running through the work programme.

December 2020

The Panel received and considered the draft Children and Young People's Plan- Empowering Young Enfield and the draft Early Years Help For All Strategy including the work that had been undertaken to develop this. The Panel provided comments and feedback for consideration prior to these items going to Council for approval.

December 2020

The Panel received presentations and provided comments on Fostering and on Covid 19 and the re-opening of schools.

January 2021

Members also received a presentation on School Finances including the Dedicated Schools Grant and the overall Education Budget

Members considered items on Exclusions including; details of Visits and work undertaken by the former Exclusions Workstream, a report on Secondary School Exclusions, Secondary Behaviour Support Service- Annual End of Year Report, a report on Primary Behaviour Support

Service, details of School Survey 2020 and Baseline and Review Assessment Questionnaire, Enfield Child & Adolescent Mental Health Service- update on waiting times and a update on Speech & Language Therapy. After a detailed discussion the Panel agreed to refer this item to the Overview & Scrutiny Committee for consideration for inclusion on next year's work programme of the Children young People & Education Scrutiny Panel and onto Cabinet for them to note the findings of this work.

February 2021

Members received comprehensive presentations at this meeting on Mental Health, and the support available to schools and Headteachers, and Special Educational Needs & Disabilities. Members of the Youth Parliament and the teachers unions attended the meeting, and following discussion requested that a referral was made to the Overview & Scrutiny committee asking them to refer to Cabinet that the Council should produce an action orientated mental health charter and policy and provide the resources to make changes that will support young people and staff on matters such as information, uncertainty and staff wellbeing. In producing this the Council is asked to work with the various stakeholders including the unions and the Youth Parliament and with the involvement of the Children Young People and Education Scrutiny Panel

March 2021

At the final meeting of the Panel, Members received and considered presentations on the vulnerable children and young people youth provision and environment. Members also reviewed the recommendations from the Poverty & Health Inequality Commission as they related to children and young people and provided feedback and comments on this.

The Panel completed its planned work programme for the municipal year.

8. Environment and Climate Action Scrutiny Panel

Membership:

Councillors:

Hass Yusuf (Chair)

Mahmut Aksanoglu (Vice Chair)

Tolga Aramaz

Lindsay Rawlings

Maria Alexandrou

Charith Gunawardena

Daniel Anderson

Elif Erbil

Terms of Reference

1. To examine and report on the strategies, policies and services of the Council and matters of importance to Enfield as they relate to the Environment.

2. To consider environmental matters on request from another standing committee and report its opinion to that standing committee.
3. To take into account in its deliberations the cross cutting themes of the achievement of sustainable development, climate change, and the impact on health of Enfield residents

Meetings held and items considered by the Panel

The Scrutiny Panel met 4 times during the municipal year 2020/21. This included an additional meeting in March which was not on the original work programme. A 5th meeting, scheduled for 29 April 2021 was cancelled due to purdah.

September 2020

At this first meeting the Panel agreed to set the work programme for 2020/21. Members received a presentation on Local Priorities for 2020/21 from The Leader of the Council, Deputy Leader and Director of Environment and Operational Services who provided details of the priorities for the year.

In addition, a presentation was given on the Meridian Water Environment Strategy and it was agreed that further information on this subject would be provided later in the year.

December 2021

The Parks and Green Infrastructure Strategy, also referred to as the Blue and Green Strategy, relates to all parks, open spaces and water courses in the borough. As part of the consultation and engagement process, the Scrutiny Panel received a draft copy of the strategy and provided comments to be included in the final draft.

A further item at this meeting was a presentation on Waste Service Changes and Fly-tipping. During the pandemic, the levels of fly-tipping had increased and Members wanted to determine how the Council were dealing with this issue.

February 2021

The Climate Action Plan had been widely presented throughout the Council at its inception and had been subject to Call-in. The Panel required to know how the implementation of the plan had progressed since the launch.

Members were informed about reducing carbon emissions, LED street lighting, Chase Restoration Project, active and sustainable travel and engagement with schools

March 2021

This was an additional meeting, not on the original work programme but added at the request of the Panel. There had been much publicity linked to the introduction of Low Traffic Neighbourhood Schemes (LTNs) around Bowes Road and Fox Lane and Members felt it was important to scrutinise

the current situation and future proposals. Members were informed of the engagement and consultation to date, the purpose of LTNS and potential plans for the Edmonton area.

April 2021

The meeting in April was to be a single item agenda, re-visiting the Meridian Water Environment Strategy. The meeting was cancelled due to purdah but it was planned to carry this item over to the new municipal year.

9. Finance and Performance Scrutiny Panel

Membership:

Councillors:

Birsen Demirel (Chair)

Tim Leaver (Vice Chair)

Mahym Bedekova

Christine Hamilton

Yasemin Brett

Anne Brown

Lee David-Sanders

James Hockney

Terms of Reference

1. To examine the draft budget proposals for the next financial year and to report to Overview and Scrutiny Committee as part of their annual budget meeting.
2. To examine, monitor and report to Overview and Scrutiny on matters relating to the finance and performance of the Council and its partners
3. To consider finance and performance matters on request from another standing committee and report its opinion to that standing committee.
4. To consider the quarterly monitoring reports provided by the Council

Meetings held and items considered by the Panel

The Scrutiny Panel met 4 times during the municipal year 2020/21.

September 2020

At this first meeting the Panel agreed to set the Panel's work programme for 2020/21; this was a newly formed Scrutiny Panel agreed as part of the Constitution changes to the Scrutiny function of the Council. Members also received a presentation on Local Priorities for 2020/21, including the Council's response to the financial challenges of Covid-19.

November 2020

The Panel received and considered the draft proposals for the Budget 2021/22 and Medium Term Financial Plan 2021/22 to 2025/26. As part of their consideration, the comments made by the Panel were reported onto the Overview and Scrutiny Committee to feed into the Council's budget consultation processes, prior to formal approval at Cabinet and full Council in February 2021.

Members also received a presentation on the Impact of Covid 19: Finance and Performance, and discussed the challenges being faced by the Council in the light of the pandemic. In conclusion, the Panel noted that the Council had reacted positively during the pandemic and a good foundation had been established on which to continue to support residents in the Borough.

At each meeting, in accordance with its terms of reference, the Panel also received and noted any quarterly monitoring reports which had been considered by the Cabinet, including both financial and performance monitoring reports, as detailed in the minutes of the Panel meetings.

January 2021

Members received two comprehensive presentations at this meeting on the Housing Revenue Account – Updated Business Plan; and, Income and Debt Recovery Strategy.

March 2021

At the final meeting of the Panel in the municipal year, Members received and considered presentations on the financial aspects of the Dedicated Schools Grant; and other Grants – the Council's Strategy and Approach to Grant Applications.

In addition, the Panel received an overview and briefing on the CIPFA Financial Management Code and the approach being taken by Enfield. The first full year of compliance was to be in 2021/22.

The Panel completed its planned work programme for the municipal year.

10. Health and Adult Social Care Scrutiny Panel

Membership:

Councillors:
Edward Smith (Chair)
Chris Dey (Vice Chair)
Christine Hamilton
Doug Taylor
Kate Anolue
Dinah Barry
Saray Karakus
Huseyin Akpinar

Terms of Reference

1. Scrutinise the planning and provision of local health services and through this process contribute to the continuous improvement of health services and services that impact upon health.
2. Respond to consultations by NHS bodies and provide dates and publish timeframes for its decision-making process on proposals for substantial developments.
3. Comply with regulations formalising arrangements for health scrutiny.
4. Consider matters referred to the Council by the local Healthwatch and respond within 20 days.
5. Scrutinise Public Health services commissioned by the Council / Health and Wellbeing Boards.

Meetings held and items considered by the Panel

The Scrutiny Panel met 4 times during the municipal year 2020/21.

September 2020

At this first meeting the Panel agreed to set the Panel's work programme for 2020/21. Members received a presentation on Local Priorities for 2020/21 from both the Cabinet Member, Senior Management and North Central London Clinical Commissioning Group (NCL CCG) representatives. It was agreed that as a result of the pandemic, there would be a standing item relating to COVID-19 on each agenda.

November 2020

The Panel received a presentation on the Older People's Assessment Unit and challenged the re-location of the service from Chase Farm Hospital to Barnet General Hospital. Members were updated on progress of the development of the extra-care facility at Reardon Court and commented on the benefit of such schemes. Healthwatch services had been put out to tender and members were appraised of progress to date. Members received a report detailing the effects of the pandemic on residents and staff in care homes, hospital discharge procedures and finances.

January 2021

Members received two comprehensive presentations at this meeting relating to COVID-19 and flu immunisation take-up from NCL CCG colleagues and the impact of the pandemic on mental health from the Barnet, Enfield and Haringey Mental Health Trust. In addition, a brief report on the tendering process relating to extra-care provision at Alcazar Court and Skinner's Court was provided.

March 2021

At the final meeting of the Panel in the municipal year, Members received and considered the latest data relating to the pandemic, including vaccination rates. Members also received and noted the Annual Adult Safeguarding Report.

Two items on the work programme will be rolled over to 2021/22. Due to pressures on hospitals, the item on the North Middlesex Hospital's

response to the Care Quality Commission inspection was removed from the agenda in January. Although discussed briefly at the March meeting, the item referring to the reconfiguration of the NHS will be considered in much greater detail in 2021/22.

11. Housing Scrutiny Panel 2020/21

Membership:

Councillors:

Elif Erbil (Chair)

Hass Yusuf (Vice Chair)

Edward Smith

Margaret Greer

Saray Karakus

Alessandro Georgiou

Susan Erbil

Guner Aydin

Terms of Reference

1. To examine and report on the strategies, policies and actions of the Council as they relate to the Council's existing housing stock and services
2. To scrutinise the planning and provision of the Council's housing stock
3. To consider housing matters on request from another standing committee and report its opinion to that standing committee.

Meetings held and items considered by the Panel

The Scrutiny Panel met 3 times during the municipal year 2020/21. A 4th meeting, scheduled for 15 April 2021 was cancelled due to purdah.

September 2020

At this first meeting the Panel agreed to set the Panel's work programme for 2020/21. Members received a presentation on Local Priorities for 2020/21 from The Leader of the Council, Cabinet Member for Social Housing, and Director of Housing and Regeneration.

December 2021

As a result of the members concerns relating to the use cladding and building safety, the Panel received a detailed presentation on the Council's position and progress to address these issues. Details of the Housing White Paper were also provided for consideration by the Panel.

February 2021

The newly formed Housing Advisory Service was the subject of a comprehensive presentation which included the staffing structure, finances and range of services provided to residents. The presentation also

provided Members with information on the new allocations policy, temporary accommodation and homelessness.

Due to purdah, items relating to Responsive Repairs and the Role of Housing Associations were carried over to 2021/22.

12. Regeneration & Economic Development Scrutiny Panel

Membership:

Margaret Greer (Chair)
Claire Stewart (Vice Chair)
Mahmut Aksanoglu
Tim Leaver
Susan Erbil
Huseyin Akpinar
Edward Smith
Maria Alexandrou (Until March 21, replaced by Andy Milne)

Terms of Reference:

1. To examine and report the services, policies and proposals from the Council that impact on the future and current regeneration and economic development in Enfield
2. To consider matters relating to regeneration and economic development on request from another standing committee and report its opinion to that standing committee.

Meetings held and items considered by the Panel

The Scrutiny Panel met 5 times during the municipal year 2020/21. This included an additional meeting in October which was not on the original work programme. A 6th private workshop meeting, scheduled for April 2021 was cancelled due to the death of the Duke of Edinburgh when all meetings were cancelled that week.

September 2020

Members held their work planning session to set the work programme for the year. The Cabinet member and Executive Director attended to present the priorities for the year to assist with this process. The Panel then received a detailed presentation by officers on Planning Reform.

October 2020

Members considered both the Cultural Strategy and the Economic Development Strategy at this meeting. The four key objectives in the new strategy will help provide the right conditions for emerging industries and capitalise on Enfield's unique strengths. The strategy will be looking to bring in the right people to pull in future talent and create work for people in Enfield. It would help to promote Enfield as a place to do business, bring in investors like the Microsoft building in Enfield Town and develop local town centres to meet future needs. Enfield could be a key part of the overall London offer. It also needed to celebrate its cultural heritage and diversity.

December 2020

At this meeting members received presentations on both the Local Plan & Housing Needs and Skills & Training. Members agreed to a proposal for a series of workshops early in the new year to assist in progressing Enfield's vision and policies. Regarding the item on Skills & Training, members received a presentation for discussion on the impact of COVID on unemployment and employment in London and the borough and how Enfield is working with Local London to address unemployment and skills.

February 2021

For the item update on Local Plan Policies, the panel received a presentation and timetable from the Head of Strategic Planning and Design updating members on the work being done on emerging local plan policies.

The next item on the agenda was the Housing Delivery Test 2020 and Draft Housing Action Plan. Members received a presentation and considered the item, members agreed that the issue of Housing delivery would be kept under review by the Panel.

Members received a presentation for discussion on the regeneration work being carried out on the Alma, Ladderswood and New Avenue estates.

March 2021

There were 4 items at this meeting, Meridian Water addressing local needs; The panel received a presentation from Jamie Eagles and Ian Freshwater (Senior Regeneration Officers) updating members on the Meridian Water Programme and addressing local needs.

Meridian Water Scrutiny workstream report; the panel received a report and presentation from the Programme Director Meridian Water updating them on progress against the four themes in the Scrutiny Workstream Report.

Improving the Planning process, members received a presentation for discussion on the work being carried out to improve the Council's planning processes, and finally members considered the item on Joyce & Snells Estate regeneration.

13. Conclusion

As a result of the committee's work, members completed their work programmes with a few adjustments throughout the year, including additional meetings for urgent items, or revising the work programme to take account of the rules of Purdah. These items were picked-up at the work planning sessions held in June/July 2021.

- 14.** Enfield Youth Parliament are currently invited to attend and contribute to the work of both the OSC and Children, Young People, and Education Scrutiny Panel. Both members, and the Youth Parliament see this as a positive role and are keen to increase engagement with all Panels, helping to make the voice of young people heard across the Council. With that in mind, a member of the Youth Parliament will be invited to attend all Panel meetings from now on.

OVERVIEW AND SCRUTINY WORK PROGRAMME 2021-22

ITEM	Weds 2 June 2021 Planning session	Tues 20 July 2021	Weds 8 Sept 2021	Wed 10 Nov	Thurs 18 Nov	Thurs 25 Nov 2021	Weds 1 Dec 2021	Weds 12 Jan 2022 (Budget meeting)	Tues 18 Jan 2022	Thurs 10 Feb 2022	Thurs 31 March 2022
Work Programme				Call-in Sloemans Farm	Call-in White webbs						
Setting the Overview & Scrutiny Annual Work Programme 2021/22		Agree OSC Work Programme for 2021/22									
Specific items											
Council Priorities 2021/22	Verbal presentation										
Budget Consultation 2022/23								Report and presentation			
Local Plan		Report									
Food Poverty Update						Report					
Flytipping			Report								
Build the change update			Report								
	Weds 2	Tues 20	Weds	Wed 10	Thurs	Thurs	Weds	Weds 12	Tues 18	Thurs 10	Thurs

OVERVIEW AND SCRUTINY WORK PROGRAMME 2021-22

ITEM cont'd	June 2021 Planning session	July 2021	8 Sept 2021	Nov 2021	18 Nov 2021	25 Nov 2021	1 Dec 2021	Jan 2022 (Budget Meeting)	Jan 2021	Feb 2022	31 March 2022
Consultations						Report					
Safeguarding							Report				
Petition – Firs Farm							Report				
Petition – Stop the Road Blocks									Report		
Town Centres										Report	
Retender of the Domestic Violence Refuge							Report				
Covid 19 (lessons learned)										Report	
White Paper on Planning											
Standing Items											
Scrutiny Annual Report 2020/21						Report					

ITEM cont'd	Weds 2 June 2021	Tues 20 July 2021	Weds 8 Sept	Wed 10 Nov 2021	Thurs 18	Thurs 25	Weds 1 Dec	Weds 12 Jan 2022	Tues 18 Jan	Thurs 10 Feb	Thurs 31 March 2022
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OVERVIEW AND SCRUTINY WORK PROGRAMME 2021-22

	Planning session		2021		Nov 2021	Nov 2021	2021	(Budget Meeting)	2022	2022	
Updates from Scrutiny Panel Chairs						Verbal Update					
Draft Work Programmes from Scrutiny Panels		Update									
Monitoring/ update											
Complaints, MEQs and FOIs											Report

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